

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

Bradley John Bellisario,
Appellant,

vs.

Emily Bellisario,
Respondent.

No. 84128

Electronically Filed
Feb 15 2022 05:10 p.m.

Elizabeth A. Brown
Clerk of Supreme Court

**DOCKETING STATEMENT
CIVIL APPEALS**

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. *See KDI Sylvan Pools v. Workman*, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department P

County Clark Judge Mary Perry

District Ct. Case No. D-20-605263-D

2. Attorney filing this docketing statement:

Attorney Amy A. Porray, Esq. Telephone 702-565-4335

Firm McFarling Law Group

Address 6230 W. Desert Inn Road
Las Vegas, NV 89146

Client(s) Bradley Bellisario

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Amanda Roberts, Esq. Telephone 702-474-7007

Firm Roberts Stoffel Family Law Group

Address 4411 S. Pecos Road
Las Vegas, NV 89121

Client(s) Emily Bellisario

Attorney _____ Telephone _____

Firm _____

Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): _____ |

5. Does this appeal raise issues concerning any of the following?

- ☒ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None.

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (*e.g.*, bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None.

8. Nature of the action. Briefly describe the nature of the action and the result below:

This is a divorce and child custody action. The parties, Appellant Bradley John Bellisario, and Respondent Emily Bellisario, were married in 2014 and have three (3) minor children. Following a one-day bench trial, the district court granted the parties a divorce and made various findings and orders related to the parties' community and separate property. In making its child custody orders, the court awarded Emily sole legal custody and primary physical custody subject to Bradley's right to supervised visitation. The district court awarded Emily attorney's fees and costs.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Please see attached.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☐ Yes

☒ No

If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter should be assigned to the Court of Appeals under NRAP 17(10) because it is an appeal of a case involving family law matters other than termination of parental rights or NRS Chapter 432B proceedings.

14. Trial. If this action proceeded to trial, how many days did the trial last? 1

Was it a bench or jury trial? Bench trial

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?
No.

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from December 23, 2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served December 23, 2021

Was service by:

☐ Delivery

☒ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ___, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed January 20, 2022

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

NRAP 4(a)

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- | | |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205 |
| <input type="checkbox"/> NRAP 3A(b)(2) | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3) | <input type="checkbox"/> NRS 703.376 |
| <input checked="" type="checkbox"/> Other (specify) <u>NRAP 3A(7)</u> | |

(b) Explain how each authority provides a basis for appeal from the judgment or order:

NRAP 3A(b)(1) gives this Court the authority to review the Findings of Fact, Conclusions of Law, and Decree of Divorce as it is a final judgment. NRAP 3A(7) gives this Court authority to review an order entered in a proceeding that did not arise in a juvenile court that finally establishes or alters custody of minor children.

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

Emily Bellisario
Bradley Bellisario

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

Emily Bellisario: Joint legal custody, primary physical custody, child support, spousal support, community and separate property and debt division, unequal distribution of community property, attorney's fees. Formal disposition: 12/23/21.

Bradley Bellisario: Joint legal custody, joint physical custody, child support, no spousal support, community and separate property and debt division, attorney's fees. Formal disposition: 12/23/21.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☒ Yes

☐ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):
Order is independently appealable under NRAP 3A(b).

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Bradley Bellisario
Name of appellant

Amy A. Porray, Esq.
Name of counsel of record

February 15, 2022
Date

/s/ Amy A. Porray
Signature of counsel of record

Clark County, Nevada
State and county where signed

CERTIFICATE OF SERVICE

I certify that on the 15th day of February, 2022, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Amanda Roberts, Esq.
4411 S. Pecos Road
Las Vegas, NV 89121

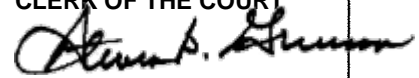
Emily Bellisario
1913 Sondrio Drive
Las Vegas, NV 89134

Dated this 15th day of February, 2022

/s/ Crystal Beville
Signature

Issues on appeal:

1. Did the district court err by declaring Bradley a vexatious litigant?
2. Did the district court err by extending the Protection Order until May 10, 2022?
3. Did the district court's trial litigation schedule unduly prejudice Bradley?
4. Did the district court err by having an ex parte hearing while Bradley was in custody and not transported?
5. Did the district court err by not recusing itself following Bradley's motion to disqualify?
6. Did the district court err by awarding Emily sole legal custody?
7. Did the district court err when making physical custody orders?
8. Did the district court err when awarding Bradley's visitation with the minor children?
9. Did the district court err by delegating selection of the psychological evaluator to Plaintiff?
10. Did the district court err by imputing income to Bradley?
11. Did the district court err when calculating child support?
12. Did the district court err when calculating child support arrears?
13. Did the district court err when calculating spousal support arrears?
14. Did the district court err by awarding spousal support?
15. Did the district court err by not calculating the Malmquist interest for the marital residence?
16. Did the district court err when distributing the parties' debts?
17. Did the district court err by awarding Emily attorney's fees?



1 COMD
2 Joe W. Riccio, Esq.
3 Nevada Bar No. 010971
4 vegas west attorneys
5 5594 S. Fort Apache Rd., Suite 120
6 Las Vegas, Nevada 89148
7 Telephone: (702) 629-7553
8 Facsimile: (702) 629-2276
9 Email: joseph@vegaswestattorneys.com
10 Attorney for Plaintiff

CASE NO: D-20-605263-D
Department: To be determined

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Emily Bellisario,

Plaintiff,

and

Bradley Bellisario,

Defendant.

Case No.
Dept No.

COMPLAINT FOR DIVORCE

COMES NOW Plaintiff Emily Bellisario, by and through her attorney, Joe W. Riccio, Esq., of vegas west attorneys, and for her cause of action against Defendant, Bradley Bellisario, complains and alleges as follows:

1. For more than six (6) weeks immediately preceding the commencement of this action, Plaintiff has been and now is a bona fide and actual resident and domiciliary of the State of Nevada, County of Clark, and has been actually and corporeally present in said State and County for more than six (6) weeks prior to the commencement of this action.

1 2. Plaintiff and Defendant were married on August 16, 2014, in the City
2 of Sandy, State of Utah and ever since have been and now are husband and wife.

3 3. There are three minor children born the issue of this marriage,
4 namely to wit: Brayden Bellisario, born on: January 15, 2015; Blake Bellisario,
5 born on November 20, 2016; and Brooklyn Bellisario, born on: February 1, 2018.
6

7 4. That Nevada has both personal and subject matter jurisdiction over
8 this divorce.

9 5. That Nevada is the home-state of the minor children pursuant to the
10 UCCJEA.

11 6. That the parties are fit and proper persons to be awarded the joint
12 legal custody of said minor children.

13 7. That the Plaintiff is a fit and proper person to be awarded primary
14 physical custody of said minor children subject to Defendant's defined and
15 supervised visitation.
16

17 8. That the Defendant shall pay child support to the Plaintiff pursuant to
18 Chapter 425 of NAC.

19 9. The parties should equally be responsible to provide health insurance
20 coverage for the minor children and the unreimbursed costs of the children's
21 health care, until they reach the age of majority or become otherwise emancipated.
22

23 10. There is community property belonging to the parties to be
24 adjudicated by the court, the exact amounts and descriptions of which are
25 unknown to Plaintiff at this time. Plaintiff prays leave of this court to amend this
26

1 Complaint to insert the same when they have become known to Plaintiff or at the
2 time of trial.

3 11. There are community debts of the parties to be adjudicated by the
4 court, the exact amounts and descriptions of which are unknown to Plaintiff at this
5 time. Plaintiff prays leave of court to amend this Complaint to insert the same
6 when they have become known to Plaintiff or at the time of trial.
7

8 12. That the parties may each have separate property that needs to be
9 identified and adjudicated as a result of this matter. Plaintiff prays leave of court
10 to amend this Complaint to insert the same when it becomes known to Plaintiff or
11 at the time of trial.

12 13. That due to the parties' income disparity Defendant shall pay to the
13 Plaintiff interim spousal support and post-decree alimony.
14

15 14. The court should find that there is a compelling reason, pursuant to
16 NRS 125.150(1)(b), to award Plaintiff a disproportionate share of the community
17 property, and to thereupon make such an award.

18 15. During the course of the parties' marriage, Defendant systematically
19 gifted, converted, or otherwise wasted certain community property assets of the
20 parties without the full knowledge or consent of Plaintiff. Defendant should be
21 required to provide an accounting of all income and assets acquired, improved,
22 altered, transferred and/or dissipated. Further, Defendant should reimburse
23 Plaintiff for all such community property gifted, converted or otherwise wasted by
24 Defendant during the parties' marriage without the knowledge or consent of
25
26

1 Plaintiff. Further yet, Defendant's conduct was malicious, wrongful, willful and
2 oppressive.

3 16. Plaintiff requests that this court issue a Joint Preliminary Injunction
4 in accordance with Nevada law.

5 17. Plaintiff has been required to retain the services of Joe W. Riccio,
6 Esq., of the law office of vegas west attorneys to prosecute this action and is
7 therefore entitled to reasonable attorney's fees and costs of suit; however, will
8 preserve the right to seek said fees should this case proceed through litigation.

9 18. That the parties should use Talking Parents or its equivalent to
10 communicate in regard to the minor children.

11 19. That the court issue a no contact order against Defendant protecting
12 Plaintiff except for communications in regard to the children on Talking Parents.

13 20. The tastes, mental dispositions, views and likes and dislikes of
14 Plaintiff and Defendant have become so widely separated and divergent that the
15 parties are incompatible to such an extent that it is impossible for them to live
16 together as husband and wife; the incompatibility between Plaintiff and Defendant
17 is so great that there is no possibility of reconciliation between them.

18 **WHEREFORE**, Plaintiff prays as judgment that:

19 1. The contract of marriage now and heretofore existing between
20 Plaintiff and Defendant be dissolved and that Plaintiff be granted an absolute
21 Decree of Divorce and that each of the parties hereto be restored to the status of a
22 single, unmarried person;

23 2. The parties are awarded joint legal custody of said minor children;

1 3. That Plaintiff should receive primary physical custody of said minor
2 children subject to Defendant's defined and supervised visitation;

3 4. The Defendant pay child support to the Plaintiff pursuant to Chapter
4 425 of NAC;

5 5. The Defendant pay alimony to Plaintiff in an amount and duration the
6 Court deems proper.

7 6. The parties provide health insurance coverage for the minor children
8 and pay for the unreimbursed costs of the children's health care, until the children
9 reach the age of majority or become otherwise emancipated;

10 7. That the parties should use Talking Parents or its equivalent to
11 communicate in regard to the minor children;

12 8. That the court issue a no contact order against Defendant protecting
13 Plaintiff except for communications in regard to the children on Talking Parents;

14 9. The court make an equitable division of the parties' community
15 assets;

16 10. The court make an equitable division of the parties' community
17 obligations;

18 11. That there is a compelling reason pursuant to NRS 125.150(1)(b), to
19 award Plaintiff a disproportionate share of the community property;

20 12. That Defendant systematically gifted, converted, or otherwise wasted
21 certain community property assets of the parties without the full knowledge or
22 consent of Plaintiff, and Defendant should reimburse Plaintiff for all such
23 community property gifted, converted or otherwise wasted;
24
25
26

13. This court issue a Joint Preliminary Injunction in accordance with Nevada law;

14. The Plaintiff be awarded attorney's fees and costs of suit; and

15. Such other and further relief as the court may deem just and proper in the premises.

DATED this 2nd day of March 2020.

vegas west attorneys

~~Joe W. Riccio, Esq.~~

Nevada Bar No. 010971

vegas west attorneys

5594 S. Fort Apache Rd., Suite 120

Las Vegas, Nevada 89148

Telephone: (702) 629-7553

Facsimile: (702) 629-2276

Email: joseph@vegaswestattorneys.com

Attorney for Plaintiff

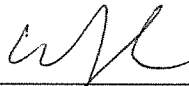
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

Emily Bellisario, under penalties of perjury, being first duly sworn, deposes and says:

That I am Plaintiff in the above-entitled action; that I have read the foregoing "Complaint for Divorce" and know the contents thereof; that the same is true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true.

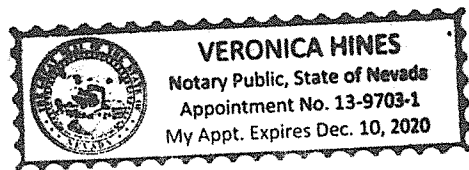


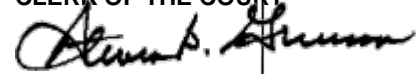
Emily Bellisario

SUBSCRIBED and SWORN before me this 28th day of February 2020.



NOTARY PUBLIC





CHRISTOPHER R. TILMAN, ESQ.
Nevada Bar No. 05150
1211 South Maryland Parkway
Las Vegas, Nevada 89104
(702) 214-4214
Attorney for Defendant

DISTRICT COURT

CLARK COUNTY, NEVADA

EMILY BELLASARIO,

Plaintiff,

vs.

BRADLEY BELLASARIO,

Defendant.

Case No. D-20-605263-D
Dept No. P

Date of Hearing: N/A
Time of Hearing: N/A

ANSWER AND COUNTERCLAIM FOR DIVORCE

Defendant, BRADLEY BELLASARIO, by and through his attorney, Christopher R. Tilman, Esq., answers the Complaint of the Plaintiff, and further sets forth his Counterclaim for Divorce as follows.

ANSWER TO COMPLAINT FOR DIVORCE

1. Defendant admits all material allegations contained in Paragraphs 1, 2, 3, 4, 5, 6, 16, 18, and 20.

2. Defendant denies all material allegations contained in Paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, and 19.

WHEREFORE, Defendant requests that Plaintiff take nothing by way of her Complaint and that he be allowed to recover his Court costs and attorney's fees incurred in defending this matter.

COUNTERCLAIM FOR DIVORCE

Defendant/Counterclaimant, BRADLEY BELLASARIO, through his attorney, Christopher

1 R. Tilman, Esq., complains against the Plaintiff/Counterdefendant as follows:

2 I

3 For more than six weeks immediately preceding the commencement of this action,
4 Defendant/Counterclaimant has been and now is a bona fide and actual resident and domiciliary of
5 the State of Nevada, and Defendant has been actually and corporeally present in the State of Nevada
6 for more than six weeks prior to the commencement of this action.

7 II

8 Defendant/Counterclaimant and Plaintiff/Counterdefendant were married August 16, 2014
9 in Sandy, Utah, and they ever since have been and now are husband and wife.

10 III

11 There are three (3) minor children the issue of this marriage; BRAYDEN BELLASARIO,
12 born January 15, 2015; BLAKE BELLASARIO, born November 20, 2016; and BROOKLYN
13 BELLASARIO, born February 1, 2018; there are no adopted children the issue of this marriage and
14 Defendant/Counterclaimant is not pregnant.

15 IV

16 That the parties should be awarded joint legal custody as well as shared physical custody of
17 the three minor children.

18 V

19 That neither party shall pay a reasonable amount of spousal support or alimony to the other
20 party.

21 VI

22 There is community property of the parties to be adjudicated by this Court, the full value and
23 extent of which has not been determined at this time.

24 VII

25 There are community debts of the parties to be adjudicated by this Court, the full value and
26 extent of which has not been determined at this time.

VIII

That child support be set in accordance with Chapter 425 of NAC.

IX

The tastes, mental dispositions, views and likes and dislikes of Defendant/Counterclaimant and Plaintiff/Counterdefendant have become so widely separated and divergent that the parties are incompatible to such an extent that it is impossible for them to live together as husband and wife; that the incompatibility between Defendant/Counterclaimant and Plaintiff/Counterdefendant is so great that there is no possibility of reconciliation between them.

X

That Plaintiff/Counterdefendant pay to Defendant/Counterclaimant attorney's fees and costs for having to respond to this matter.

WHEREFORE, Defendant/Counterclaimant, BRADLEY BELLASARIO, prays for judgment as follows:

1. That the contract of marriage now and heretofore existing between Defendant/Counterclaimant and Plaintiff/Counterdefendant be dissolved and that Counterclaimant be granted an absolute Decree of Divorce and that each of the parties hereto be restored to the status of a single, unmarried person;

~~2. That neither party be required pay to pay spousal support or alimony to the other party.~~

3. That the parties be awarded joint legal and shared physical custody of the three minor children.

4. For an equitable division of the community property;

5. For an equitable division of the community debt;

6. That child support be set in accordance with Chapter 425 of NAC.

7. That Plaintiff/Counterdefendant pay to Defendant/Counterclaimant attorney's fees and costs.

///

8. For such other and further relief as to the Court may seem proper.

Dated this 9 day of April, 2020.


CHRISTOPHER R. TILMAN, ESQ.
Nevada Bar No. 05150
1211 South Maryland Parkway
Las Vegas, NV 89104
Attorney for Defendant/
Counterclaimant

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

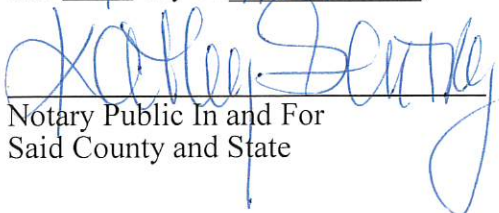
VERIFICATION

BRADLEY BELLASARIO, being first duly sworn, deposes and says:

That I am the Defendant/Counterclaimant in the above-entitled action; that I have read the foregoing ANSWER AND COUNTERCLAIM and know the contents thereof, and that the same is true of my own knowledge, save and except as to those matters alleged upon information and belief, and as to those matters, I believe them to be true.


BRADLEY BELLASARIO

Subscribed and Sworn to Before Me
this 9 day of APRIL, 2020.

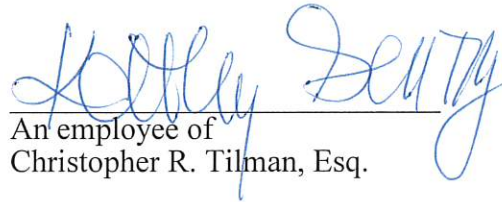

Notary Public In and For
Said County and State



CERTIFICATE OF MAILING

I hereby certify that on that service of this **ANSWER AND COUNTERCLAIM** was made this 9 day of APRIL, 2020 by depositing a copy thereof in a sealed envelope, first class postage prepaid, in the U.S. Mail, addressed to:

Joe W. Riccio, Esq.
5594 S. Fort Apache #120
Las Vegas, NV 89148


An employee of
Christopher R. Tilman, Esq.

Amanda M. Roberts
CLERK OF THE COURT

FFCL
Amanda M. Roberts, Esq.
State of Nevada Bar No. 9294
ROBERTS STOFFEL FAMILY LAW GROUP
4411 S. Pecos Road
Las Vegas, Nevada 89121
PH: (702) 474-7007
FAX: (702) 474-7477
EMAIL: efile@lvfamilylaw.com
Attorneys for Plaintiff, Emily Bellisario

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

EMILY BELLISARIO,)	Case No: D-20-605263-D
)	Dept No: P
Plaintiff,)	
v.)	
)	
BRADLEY BELLISARIO,)	Date of Trial: December 20, 2021
)	Time of Trial: 9:00 a.m.
Defendant.)	
)	

**FINDING OF FACT, CONCLUSIONS OF LAW
AND DECREE OF DIVORCE**

This matter having come before the Court on the 20th day of December, 2021,
for a Non-Jury Trial. The Plaintiff, Emily Bellisario (hereinafter referred to as
“Plaintiff” or “Emily”), being present, by and through her attorneys of record,
Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and the Defendant,
Bradley Bellisario (hereinafter referred to as “Defendant” or “Bradley”), not being
presented or represented by Counsel. The Court having heard testimony, reviewed

1 exhibits and considered the testimony along with arguments of Counsel and
2 pleadings on file herein, hereby finds and Orders as follows:

3
4 **FINDING OF FACT AND CONCLUSIONS OF LAW**

5 NOW THEREFORE,

6 THE COURT HEREBY FINDS that following Exhibits were admitted during
7 the Non-Jury Trial: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
8 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 33, 34, 35, 36, 37, 38, 39, 40, 41,
9 42, 43, 44, 45, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 72, 73,
10 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89, 91, 92, 94, 97, 98, 100, 101,
11 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
12 120, 121, 122, and 123.

13
14
15 THE COURT FURTHER FINDS that the following Exhibits were admitted,
16 under seal, but may be reviewed by the Nevada Supreme Court/Court of Appeals if
17 this matter is reviewed by said Court: 124 (Donna's House Report dated May 7,
18 2021) and 125 (health insurance breakdown).

19
20 THE COURT FURTHER FINDS that the Parties are incompatible in
21 marriage, which makes it impossible to live together as husband and wife, to which
22 there is no possibility for reconciliation, and are entitled to a Decree of Divorce.
23 (Video Timestamp 2:41:40)
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1 THE COURT FURTHER FINDS that the Plaintiff is a resident of Clark
2 County, State of Nevada at all times relevant in this action and Plaintiff was a
3 resident for more than six (6) weeks prior to the commencement of this action
4 pursuant to *NRS* § 125C.020 (e). (Video Timestamp 2:41:30)

6 THE COURT FURTHER FINDS that jurisdiction in this matter is proper as
7 the Plaintiff is a resident of Clark County, Nevada and have been in excess of six (6)
8 weeks prior to the commencement of this action. (Video Timestamp 2:41:24)

10 THE COURT FURTHER FINDS that the Parties were married on August 16,
11 2014 and separated in June of 2019.

13 THE COURT FURTHER FINDS that the Parties have three (3) minor
14 children, to wit: Brayden Bellisario (“Brayden”), born January 15, 2015; Blake
15 Bellisario (“Blake”), born November 20, 2016; and Brooklyn Bellisario
16 (“Brooklyn”), born February 1, 2018. (Video Timestamp 3:13:24)

18 THE COURT FURTHER FINDS jurisdiction is proper pursuant to *NRS* §
19 125A.305 and 125A.085 as Nevada is the “home state” of the minor six (6) months
20 before the commencement of this action. (Video Timestamp 2:41:25)

22 THE COURT FURTHER FINDS that at the commencement of this action,
23 Defendant was an attorney who owned his own law firm. (Video Timestamp
24 2:42:09)

1 THE COURT FURTHER FINDS at the hearing on July 30, 2020 (Order filed
2 January 24, 2021), the Defendant was Ordered to pay Plaintiff child support to the
3 Plaintiff in the amount of \$2,560.00 per month and spousal support of \$1,000.00 per
4 month since the date of separation which was June of 2019. This amount was based
5 upon a gross monthly income of \$18,000.00 per month (Exhibit “18”). (Video
6 Timestamp 2:41:47)
7

8
9 THE COURT FURTHER FINDS that the Defendant alleged in his Financial
10 Disclosure Form filed February 7, 2021 that he ceased work as an attorney on or
11 about August 1, 2020 (Exhibit “19”); however, based upon filings with the Eighth
12 Judicial District Court (Exhibit “20”), Defendant continued to work for at least three
13 (3) months after he claimed to no longer be working at his law firm. (Video
14 Timestamp 2:42:05)
15

16
17 THE COURT FURTHER FINDS that on October 22, 2020 (Order filed
18 January 20, 2021), the District Court gave the Defendant an opportunity to purge his
19 contempt for not paying spousal support if he “immediately delivered his financial
20 books and records regarding his business and income.” The Defendant failed to
21 comply with this Order. (Video Timestamp 2:42:15)
22

23 THE COURT FURTHER FINDS that the November 24, 2020 (Order filed
24 December 10, 2020), the District Court Ordered the Defendant to turn over his
25 business and personal financial documents by December 1, 2020. The Defendant
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27
28

1 failed to comply with this Order, and the Court's predecessor recommended if the
2 Defendant did not comply that an unequal distribution of community which was not
3 done. (Video Timestamp 2:43:17)
4

5 THE COURT FURTHER FINDS that the Defendant failed to comply with
6 discovery. As such, it was Ordered on March 17, 2021, that the Defendant be
7 precluded from presenting and replying upon at Trial or the Evidentiary Hearing any
8 evidence required to be produced by *NRCP* § 16.2 which was not produced within
9 five (5) days of the hearing. (Video Timestamp 2:43:38)
10

11 THE COURT FURTHER FINDS that the Defendant failed to timely respond
12 to Plaintiff's Request for Admission and pursuant to *NRCP* § 36 (a)(3) said
13 admissions are deemed admitted, as a matter of law, and will be addressed in more
14 detail herein. (Video Timestamp 2:43:57)
15

16 THE COURT FURTHER FINDS that there was an active Protection Order in
17 T-19-200404-T which was in place from September 18, 2019 through September 19,
18 2020. This Protection Order was never dismissed or dissolved, remaining effective
19 until expired on its own. (Video Timestamp 3:23:14)
20

21 THE COURT FURTHER FINDS that there was an overlapping Protection
22 Order in T-20-206639-T which has been in place from July 6, 2020 through the
23 current date. Said Protection Order shall expire on May 10, 2022. (Video
24 Timestamp 2:44:30)
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1 THE COURT FURTHER FINDS that Donna Wilburn, MFT (“Wilburn”),
2 testified in this matter. Wilburn treated Brayden for two (2) sessions on February 2,
3 2020 and February 24, 2020. Wilburn stopped treating Brayden because Defendant
4 did not agree with her treatment of the child. In the two (2) sessions, Wilburn
5 determined that Brayden was under a lot of stress related to parental conflict which
6 made him nervous and he did not want his parents around each other, and he had
7 anxiety regarding his contact with Defendant. Brayden disclosed to Wilburn that he
8 saw a lot of scary behaviors, including his Dad being mean to his Mom, and was
9 afraid of Dad getting mad. When Wilburn stopped treating Brayden, she referred
10 him to Anna Trujillo, MFT (“Trujillo”). (Video Timestamp 2:45:21)

14 THE COURT FURTHER FINDS at one child exchange, Brayden did not want
15 to go to visit Defendant and was crying. Saira McKinley (“Saira”) picked Brayden
16 up and began swinging him around, and once Brayden got away from Saira he ran to
17 Plaintiff. (Video Timestamp 2:46:28)

19 THE COURT FURTHER FINDS that the Complaint for Divorce was filed on
20 March 5, 2020, and during the almost two (2) year period of time, Defendant has
21 done nothing to cooperate, communicate or compromise to act in the best interest of
22 the minor children. (Video Timestamp 2:49:17)

1 THE COURT FURTHER FINDS as it relates to best interest/wishes of the
2 children- they are not of a sufficient age and capacity to state a preference. (Video
3 Timestamp 2:50:23)
4

5 THE COURT FURTHER FIND as it relates to best interest/nomination of
6 guardian- there has been no nomination of guardian in this matter. (Video
7 Timestamp 2:50:38)
8

9 THE COURT FURTHER FINDS as it relates to best interest/frequent
10 association and continuing relationship- though Plaintiff has requested the
11 Defendant's visitation be supervised, she is requesting a schedule be set up to allow
12 Defendant the ability to maintain a relationship with the children; and Plaintiff
13 attempted to bribe Brayden to do visits with the Defendant, but Brayden refused to
14 go. Defendant has shown no signs of not allowing frequent association and a
15 continuing relationship with Plaintiff. Therefore, the Court views this factor as
16 neutral. (Video Timestamp 2:50:45)
17
18

19 THE COURT FURTHER FINDS at it relates to the best interest/level of
20 conflict- Plaintiff was subjected to many acts of domestic violence and violations of
21 the Protection Orders that were in place at the time and currently in place;
22 Defendant's communication to Plaintiff, her attorneys and therapists for the children
23 have increased the conflict; at supervised visitation at Donna's House, Defendant
24 became violent with the Marshalls and had to be escorted out based upon the
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1 Donna's House report filed under seal as Exhibit "124" which was admitted; as well
2 as the domestic violence facts as set forth herein below. Therefore, this factor
3 weighs against Defendant in favor of Plaintiff. This is also a factor relevant to
4 continued supervised visitation for the Defendant. (Video Timestamp 2:51:22)

6 THE COURT FURTHER FINDS at it relates to the best interest/ability of the
7 parents to cooperate- Defendant has continuously refused to cooperate with Court
8 Orders including paying child support as required; Defendant's willingness to be
9 confrontational and abusive in the presence of the children, shows a blatant refusal to
10 cooperate with the Plaintiff in raising the children; Defendant filed a civil law suit
11 against the child's therapists; multiple lawsuits against Plaintiff and others; as well as
12 the domestic violence facts as set forth herein below. Therefore, this factor weighs
13 against Defendant in favor of Plaintiff. (Video Timestamp 2:52:15)

17 THE COURT FURTHER FINDS at it relates to the best interest/mental and
18 physical health of the parents- this factor could have been put to rest if the Defendant
19 had cooperated in completion of the psychological evaluation as Ordered, but
20 Defendant's refusal to do so and his acts in violation of the Protection Orders raise
21 suspicion and/or concern as to a minimum ability to deal with his anger. During
22 supervised visitation at Donna's House, Defendant became violent with the
23 Marshalls and had to be escorted out of the building according to the Donna's House
24 Report filed under seal and admitted as Exhibit "124". Defendant's out of control
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1 behavior further shows a possibility of mental health issues that could place the
2 children in danger should Defendant have unsupervised contact with the minor
3 children; the Defendant has allegedly engaged in multiple attacks and stalking of
4 other people; he has threatened another man, Jason Elleman, with a “Columbian
5 neck tie” which is a claim he would slit the throat of the man who is his ex-
6 girlfriend’s ex-boyfriend, which the subject of a criminal case. Defendant has posted
7 many false reports regarding many professional involved with this family including
8 therapists, attorneys and judges. Defendant’s posts are rants that are hard to follow
9 and understand; as well as the domestic violence facts as set forth herein below.
10 There are no such problems for the Plaintiff. Therefore, this factor weighs against
11 Defendant in favor of Plaintiff. (Video Timestamp 2:52:53)
12

13
14 THE COURT FURTHER FINDS at it relates to the best interest/physical,
15 developmental and emotional needs of the child- the children are young, and
16 Brayden has shown the need for therapy, with Wilburn and Trujillo, regarding being
17 subjected to domestic violence and adverse treatment of his Mother by his Father,
18 not once, but twice. Brayden has threatened violence against adults and threatened
19 to kill his Mother; Brayden is just six (6) years old. There is a possibility this
20 behavior is being learned from Defendant. Therefore, this factor weighs against
21 Defendant in favor of Plaintiff. Moreover, this factor weighs in the Court’s decision
22 regarding supervised visitation for the Defendant. (Video Timestamp 2:54:30)
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1 THE COURT FURTHER FINDS at it relates to the best interest/nature of
2 relationship with parents- the children have a loving relationship with Plaintiff;
3 whereas, Defendant has gone more than a year with no more than supervised
4 visitation, the relationship between Defendant and the children will probably need to
5 be rebuilt once he finishes his psychological evaluation as previously Ordered.
6 Therefore, this factor weighs against Defendant in favor of Plaintiff. (Video
7
8 Timestamp 2:55:31)
9

10 THE COURT FURTHER FINDS at it relates to the best interest/sibling
11 relationship that there are no other siblings besides those of this relationship.
12 Therefore, this factor is not applicable. (Video Timestamp 2:56:04)
13

14 THE COURT FURTHER FINDS at it relates to the best interest/abuse or
15 neglect- the Defendant threw juices boxes and food at the children when they
16 ignored him during a child exchange, and abused the Plaintiff in front of the minor
17 children. Therefore, this factor weighs against Defendant in favor of Plaintiff.
18 (Video Timestamp 2:56:12)
19

20 THE COURT FURTHER FINDS at it relates to the best interest/abduction-
21 this factor is not applicable. (Video Timestamp 2:56:45)
22

23 THE COURT FURTHER FINDS at it relates to the best interest/domestic
24 violence- the violence began during the Plaintiff's first pregnancy. (Video
25 Timestamp 2:56:55)
26

1 THE COURT FURTHER FINDS at it relates to the best interest/domestic
2 violence- that the Plaintiff showed, by clear and convincing evidence, that on August
3 6, 2019, Defendant left bruises on the Plaintiff's arm and thigh, by banging the door
4 on her while Brayden watched the incident. He also tore the garage door off and
5 then left.
6

7 That the Plaintiff showed, by clear and convincing evidence on
8 September 16, 2019, Defendant began banging on the door, then broke a back
9 window to get into the home, wherein he began throwing furniture including
10 throwing a television over the loft on the 2nd floor to the 1st floor, ripping a television
11 off the wall in the living room, while Brayden was present and the police were on the
12 telephone, Defendant destroyed the children's fish tank, causing all three children to
13 watch as fish died, and caused damages to the cabinets and sink in the area around
14 the fish tank, kicking in the dishwasher, ripping the fan out of the wall from above
15 the stove, broke multiple mirrors/artwork/wine bottles, ripped the hinges from the
16 bathroom cabinet doors, threw a large picture in a frame onto the toddler's bed,
17 kicked in the toddler gate at the top of the stairs. Exhibit "31" is a detailed invoice of
18 the damage caused that night which was admitted. (Video Timestamp 2:57:29)
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23 THE COURT FURTHER FINDS at it relates to the best interest/domestic
24 violence- that the Plaintiff showed, by clear and convincing evidence, on June 22,
25 2020, the Defendant backed his car into the garage of Plaintiff's home after
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27
28

1 threatening to kill the Plaintiff. Upon determining Plaintiff was not home, Defendant
2 began backing into neighbors' vehicles, driving forward and backing up into a city
3 light pole which was knocked down onto a neighbor's vehicle. Defendant also hit
4 neighbors vehicles with sticks. Defendant then drove up and down the road.
5 Defendant then showed up at the home of Plaintiff's Father where she and the
6 children were barricaded in the bathroom with Plaintiff's Father protecting them with
7 a shotgun. Defendant was arrested and pictures of Defendant's vehicle were taken
8 showing damage. At the time, Protection Order T-19-200404-T was in place.
9 (Video Timestamp 2:5845)

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11
12
13 THE COURT FURTHER FINDS at it relates to the best interest/domestic
14 violence- that the Plaintiff showed, by clear and convincing evidence, on February 2,
15 2021, Defendant showed up at the Plaintiff's house thirty-three (33) minutes late for
16 a child exchange and began throwing juice boxes and food at the Plaintiff's front
17 door while the children present because the children would not respond to calls from
18 the Defendant. (Video Timestamp 3:00:08)

19
20
21 THE COURT FURTHER FINDS at it relates to the best interest/domestic
22 violence- the Plaintiff propounded a Request for Admission on the Defendant which
23 were deemed admitted due to Defendant's failure to respond. As such, the following
24 were admitted: (Video Timestamp 3:00:55)

- 25
26 • Defendant committed domestic violence against Plaintiff as
27 defined by *NRS* § 33.018. (Video Timestamp 3:01:09)

- Defendant entered a plea to battery in case 19F19371X. (Video Timestamp 3:01:18)
- In case 19F19371X, Defendant was required to complete an impulse control course. (Video Timestamp 3:01:29)
- In case 19F19371X, Defendant was required to complete domestic violence counseling. (Video Timestamp 3:01:35)
- On or about August 1, 2019, Defendant struck Plaintiff on the left side of her cheek. (Video Timestamp 3:01:47)
- On or about August 1, 2019, Defendant caused a welt to be left on Plaintiff's left arm. (Video Timestamp 3:01:56)
- The bruises depicted in the photographs of Emily Bellisario attached to the Request for Admissions as **Exhibit "1"** were caused by Defendant on or about August 1, 2019. (Video Timestamp 3:02:05)
- Defendant threatened to place "Gabe in the ground." (Video Timestamp 3:02:21)
- Defendant stated he was going "to murder" someone known to Plaintiff. (Video Timestamp 3:02:27)
- Defendant stated that Mario would "be drinking through a straw till he dies." (Video Timestamp 3:02:34)
- Defendant stated, "I am going to destroy the fuckers life." (Video Timestamp 3:02:41)
- Defendant threatened to kill anyone in a relationship with Plaintiff. (Video Timestamp 3:02:48)
- Defendant stated that he was going to "kill" Emily Bellisario. (Video Timestamp 3:02:53)
- Defendant caused the marital residence to be in the condition depicted in the photographs attached as **Exhibit "2"**. (Video Timestamp 3:02:58)
- Defendant caused physical damage to the following personal property items in Plaintiff's residence located at 1913 Sondrio Drive, Las Vegas, Nevada, 89134: (1.) two televisions; (2.) two chairs; (3.) appliances; (4.) furniture; (5.) broken vase; and (6.) fish bowl. (Video Timestamp 3:03:12)
- Defendant caused physical to the home where Plaintiff resides located at 1913 Sondrio Drive, Las Vegas, Nevada, 89134: (1.) rear window; (2.) front door of the residence; and (3.) lighting fixtures. (Video Timestamp 3:03:36)

- Defendant caused bruises to Plaintiff on or about September 16, 2019. (Video Timestamp 3:03:49)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left shoulder. (Video Timestamp 3:03:56)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left elbow. (Video Timestamp 3:04:02)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left side of her back. (Video Timestamp 3:04:07)
- That the minor child, Brayden Bellisario, witnessed Defendant committed domestic violence against Plaintiff as defined by *NRS* § 33.018. (Video Timestamp 3:04:14)

THE COURT FURTHER FINDS at it relates to the best interest/domestic violence- that the Plaintiff showed, by clear and convincing evidence, that she received text messages from Defendant that were threatening Plaintiff including killing her boyfriends and showing that he was stalking her and her boyfriend. Defendant threatened Plaintiff's Father (maternal grandfather) in September of 2019; and Defendant threatened Plaintiff's college friend. These acts are forms of harassment and attempts to isolate Plaintiff from any of her friends and family. (Video Timestamp 3:04:32)

THE COURT FURTHER FINDS that the factors regarding domestic violence weigh against the Defendant and favor the Plaintiff. (Video Timestamp 2:52:03)

THE COURT FURTHER FINDS at it relates to the best interest - Defendant would harass professionals in a way that would attempt to get them to drop the Plaintiff as a client. (Video Timestamp 3:05:18)

1 THE COURT FURTHER FINDS at it relates to the best interest - there are
2 criminal charges pending against the Defendant. The Defendant was in custody,
3 wherein it was advised that the CCDC was not transporting individuals, nor was it
4 being permitted for video conference or telephone conference. (Video Timestamp
5 3:00:47)
6

7 THE COURT FURTHER FINDS on November 14, 2020, Saira was supposed
8 to be present for supervised visitation or both Paternal Grandfather and Maternal
9 Grandfather; however, Defendant was left alone with the minor children. (Video
10 Timestamp 3:05:38)
11

12 THE COURT FURTHER FINDS on November 21, 2020, Defendant was
13 supposed to be supervised with the minor children; however, Defendant was alone
14 with the minor children in his parking garage with no supervisor present. Saira was
15 supposed to be the supervisor on this occasion. (Video Timestamp 3:05:55)
16

17 THE COURT FURTHER FINDS on June 10, 2020, the Plaintiff and
18 Defendant entered into a Stipulation and Order that a full outsource custody
19 evaluation would be completed including psychological evaluations of the Parties.
20 (Video Timestamp 2:46:52)
21

22 THE COURT FURTHER FINDS on June 26, 2021, the Court Ordered that the
23 “Court shall not entertain requests to modify the Defendant’s visitation with the
24 minor children until he completes the psychological evaluation.” (Video Timestamp
25 2:47:13)
26

1 THE COURT FURTHER FINDS that at the time of scheduling the Non-Jury
2 Trial/Evidentiary Hearing, Defendant made his intention clear that he would attempt
3 to put off the Non-Jury Trial/Evidentiary Hearing and cause more delay. (Video
4 Timestamp 2:47:30)

6 THE COURT FURTHER FINDS that after Defendant's multiple civil
7 lawsuits, and continuous filings that were duplicative and in many other courts
8 regarding the same subject matters, this Court granted vexatious litigant status
9 against the Defendant. (Video Timestamp 2:47:40)

11 THE COURT FURTHER FINDS that Defendant failed to pay medical
12 insurance premiums for the minor children and therefore, he shall reimburse one-half
13 to the Plaintiff ($\$761.94 \times 32 \text{ months} = \$24,382.08/2$) the sum of \$12,191.04.
14 (Video Timestamp (Video Timestamp 3:22:20)

16 THE COURT FURTHER FINDS that the Defendant failed to reimburse
17 Plaintiff one-half of medical bills for the minor children in the amount of \$3,435.22,
18 with and his one-half obligation is \$1,717.61. (Video Timestamp 3:08:53)

20 THE COURT FURTHER FINDS that the Court declines to find Defendant
21 committed community waste as it relates to gambling. In Las Vegas, people gamble.
22 The Court agrees that Defendant should have paid the Court Ordered support, but the
23 Court cannot determine the source of the funds for the monies expended and the
24 funds may have well come from Defendant's law practice. (Video Timestamp
25 3:09:16)

1 THE COURT FURTHER FINDS that Defendant did commit community
2 waste by destroying his law practice, allegedly stealing money from clients and
3 having his law license suspended. (Video Timestamp 3:09:32)
4

5 THE COURT FURTHER FINDS that the residence at 1913 Sondrio Drive
6 was purchased by the Plaintiff prior to the Parties marriage. (Video Timestamp
7 3:06:33)
8

9 THE COURT FURTHER FINDS that since the Parties marriage through
10 December of 2021, community funds were used to pay the mortgage payments. That
11 the Court determines it to be eighty-eight (88) payments at \$1,011.00 per month for a
12 total amount of payments of \$88,968.00 less the deferred mortgage payments of
13 \$14,197.34. Therefore, the Defendant's share is one-half of the payments or
14 (\$77,789.00/2) \$37,394.50. (Video Timestamp 3:06:39)
15
16

17 THE COURT FURTHER FINDS that from the Defendant's share of the
18 mortgage payments the child support arrears shall be deducted first which total
19 \$49,377.82. Therefore, the Defendant's share of the mortgage payments is
20 eliminated by the child support arrears and the remaining amount of child support
21 arrears owed is \$11,988.32. (Video Timestamp 3:08:12)
22

23 THE COURT FURTHER FINDS that the Defendant's wrongful acts caused
24 damage to the real property at 1913 Sondrio Drive in the amount of \$21,425.35.
25 (Video Timestamp 3:08:38)
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1 THE COURT FURTHER FINDS the following debts to be community in
2 nature with each Party being responsible for one-half of said obligation: (Video
3 Timestamp 3:10:38)

- 4 • Bank of America debt ending in 6343- \$1,120.60
- 5 • Bank of America debt ending in 0153- \$2,712.58
- 6 • Chase credit card ending in 5682/5254- \$1,044.89
- 7 • Chase credit card ending in 5919/7774- \$6,200.00

8 THE COURT FURTHER FINDS that the Defendant's student loans were
9 incurred before marriage and are not a community debt. (Video Timestamp 3:11:22)

10 THE COURT FURTHER FINDS that the Defendant's PPP loan of \$23,000.00
11 for Defendant's law practice is not a community debt. (Video Timestamp 3:10:15)

12 THE COURT FURTHER FINDS that any debt owed to Defendant's clients is
13 not community debt. (Video Timestamp 3:11:37)

14 THE COURT FURTHER FINDS that the Plaintiff withdrew her request for
15 Defendant to be held in contempt of Court. (Video Timestamp 3:11:44)

16 THE COURT FURTHER FINDS that the Defendant has the ability to earn the
17 wages of a seasoned law clerk/paralegal, which this Court determines to be
18 reasonably \$35.00 per hour. (Video Timestamp 2:48:48)

19 THE COURT FURTHER FINDS that Defendant's lack of cooperation in the
20 outsource evaluation, psychological evaluation and discovery has significantly
21 increased the cost of litigation. (Video Timestamp 2:43:39, 2:47:53)

1 THE COURT FURTHER FINDS as a result of Defendant's failure to comply
2 with the Court Order regarding child support, he owes child support arrears through
3 December of 2021 in the amount of \$49,377.82, credited by the above noted
4 financial credit as it relates to the mortgage payments, resulting in a total amount of
5 child support arrears amount of \$11,988.32. (Video Timestamp 2:42:33)
6

7 THE COURT FURTHER FINDS as a result of Defendant's failure to comply
8 with the Court Order regarding spousal support, he owes spousal support arrears
9 through December of 2021 in the amount of \$33,982.84. (Video Timestamp
10 2:42:59)
11

12 THE COURT FURTHER FINDS that the Defendant shall have the ability to
13 provide proof to the Court that he made child support payments and spousal support
14 payments for which he was not given credit. (Video Timestamp 2:42:50, 3:16:00)
15

16 THE COURT FURTHER FINDS that attorney fees were awarded from
17 Defendant to Plaintiff pursuant to the Order from April 21, 2021, in the amount of
18 \$3,239.50; and attorney fees were awarded from Defendant to Plaintiff pursuant to
19 the Order from September 20, 2021, in the amount of \$2,659.50. (Video Timestamp
20 3:11:59)
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1 **CONCLUSIONS OF LAW**

2 1. That the Court has jurisdiction pursuant to NRS 125.020, 125.120,
3 125.130, and to make orders as to the parties' legal status;

4 2. That the Court has the authority to make orders as it pertains to the marital
5 estate, separate and/or community property/debts (NRS 125.150);

6 3. That the Court has the authority to make orders as it pertains to Custody
7 (NRS 125C, et.seq., *Rivero -v- Rivero*, 216, P.3d 213 (2009); 125 Nev. Adv. Op.
8 No. 34 (August 27, 2009), *Wallace v. Wallace*, 112 Nev. 1015, 1019, 922 P.2d 541,
9 543 (1996) ("Matters of custody and support of minor children rest in the sound
10 discretion of the trial court"); *Bluestein v. Bluestein*, 131 Nev., Adv. Op. 14, 345
11 P.3d 1044, 1048 (2015) reiterating that "in custody matters, the child's best interest is
12 paramount");

13 4. That the Court has the authority to make orders as it pertains to Child
14 Support (NAC Chapter 425; NRS 125B et.seq., *Barbagallo v. Barbagallo*, 105 Nev.
15 546, 779 P.2d 532 (1989);

16 **DECREE AND ORDERS**

17 *NOW THEREFORE*, and good cause appearing; It Is Hereby

18 ORDERED the bonds of matrimony heretofore and now existing between the
19 Parties be, and the same are hereby, wholly dissolved and an absolute Decree of
20 Divorce is hereby granted to the Parties, and each Party hereto is restored to the
21 status of a single, unmarried person. (Video Timestamp 3:12:32)

1 IT IS FURTHER ORDERED that the Plaintiff is awarded **Sole Legal**
2 **Custody** of the minor children which includes the ability to make all religious,
3 medical and educational decisions for the minor children. This includes the ability to
4 obtain Passports for the minor children without Defendant's signature being
5 necessary, and travel outside the United States without the Defendant's permission.
6 (Video Timestamp 3:13:20, 3:13:58)
7

8
9 IT IS FURTHER ORDERED that as it relates to legal custody, it may be
10 determined a change in circumstance if the Defendant submits to the psychological
11 examination by Dr. Stephanie Holland as previously Ordered, at his cost, as more
12 specifically set forth herein. (Video Timestamp 3:13:39)
13

14 IT IS FURTHER ORDERED that the Plaintiff is awarded Primary Physical
15 custody subject to the following: (Video Timestamp 3:14:06)
16

- 17 • Upon Defendant's criminal cases being complete, he shall have
18 four (4) hours of supervised visitation at Family First at his cost,
19 upon requesting same from the Court. The supervision shall be
20 closely monitored whereby someone from Family First shall be
21 able to hear all Defendant's conversations with the minor
22 children. If Family First determines there are inappropriate
23 comments or behavior, Family First may immediately cut off
24 supervised visitation for that visitation session, and may resume
25 at the next regularly visitation period. (Video Timestamp
26 3:14:12, 3:14:30)
- 27 • Defendant shall not have any visitation until all of the criminal
28 cases are resolved. (Video Timestamp 3:14:20)

1 IT IS FURTHER ORDERED that it may be a change in circumstance, for
2 physical custody, if Defendant completes a psychological evaluation. The evaluation
3 shall be paid for by the Defendant. It shall be completed by Dr. Holland and if she is
4 no longer able to take the case or has retired, then the Plaintiff shall select the
5 provider to conduct the psychological evaluation. (Video Timestamp 3:14:50,
6 3:21:36)
7

8
9 IT IS FURTHER ORDERED that the Plaintiff shall provide health insurance
10 for the minor children and the Parties shall equally divide the cost of the health
11 insurance premium. The current premium amount is \$802.00 per month and
12 Defendant's one-half obligation is \$401.00 per month. The premium may fluctuate
13 from time to time, and Plaintiff may file a "Notice of Change of Health Insurance
14 Premium" and serve same upon the Defendant. (Video Timestamp 3:16:21)
15

16
17 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff health
18 insurance premium arrears of \$12,191.04. Said amount is reduced to judgment and
19 collectable by any and all legal means. (Video Timestamp 3:22:20)
20

21 IT IS FURTHER ORDERED that any unreimbursed medical, dental, optical,
22 orthodontic, or other health related expense incurred for the benefit of the minor
23 children is to be divided equally between the Parties. Either Party incurring an out of
24 pocket medical expense for the children shall provide a copy of the paid
25 invoice/receipt to the other party within thirty (30) days of incurring such expense.
26
27
28

1 If not tendered within the thirty (30) day period, the Court may consider it a waiver
2 of reimbursement. The other Party will then have thirty (30) days from receipt
3 within which to dispute the expense in writing or reimburse the incurring Party for
4 one-half of the out of pocket expense. If not disputed or paid within the thirty (30)
5 day period, the Party may be subject to a finding of contempt and appropriate
6 sanctions. (Video Timestamp 3:16:45)
7
8

9 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff
10 unreimbursed health insurance cost of \$1,717.61. Said amount is reduced to
11 judgment and collectable by any and all legal means. (Video Timestamp_____)
12

13 IT IS FURTHER ORDERED that the Plaintiff shall be permitted to claim the
14 minor children for tax purposes, in all years, and be awarded 100 percent of any
15 child tax credits. (Video Timestamp 3:16:48)
16

17 IT IS FURTHER ORDERED that the Defendant shall pay Plaintiff child
18 support. The child support is suspended while the Defendant is detained at the Clark
19 County Detention Center; however, upon being released his child support the next
20 month upon release shall be set at \$1,569.00 per month based upon an imputed wage
21 of \$35.00 per hour which equates to \$6,067.00 per month. (Video Timestamp
22 3:15:03)
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1 IT IS FURTHER ORDERED that upon obtaining employment, Defendant
2 shall file and serve a Financial Disclosure Form including proof of income from his
3 employer. (Video Timestamp 3:15:24)
4

5 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff child
6 support arrears of \$49,377.82; however, Defendant may provide proof of payment
7 for additional payments and he shall be given credit for those payments. A portion
8 of the child support arrears are being paid from the Defendant's community share of
9 mortgage payments on 1913 Sondrio Drive and the remaining amount owed is
10 \$11,988.32. Said amount is reduced to judgment and collectable by any and all legal
11 means. (Video Timestamp 3:15:48)
12
13

14 IT IS FURTHER ORDERED that the real property at 1913 Sondrio Drive, Las
15 Vegas, Nevada 89134 (Parcel No. 137-24-717-031) is confirmed as Plaintiff's sole
16 and separate property. (Video Timestamp 3:06:36)
17

18 IT IS FURTHER ORDERED that the Defendant's mortgage payment interest
19 in the real property at 1913 Sondrio Drive, Las Vegas, Nevada 89134 (Parcel No.
20 137-24-717-031) is \$37,394.50 and the amount is reduced by \$37,394.50 as
21 application for the child support arrears. As such, Defendant has no interest in the
22 mortgage reimbursement. (Video Timestamp 3:08:10)
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1 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff spousal
2 support arrears of \$33,982.84 through December of 2021. Said amount is reduced to
3 judgment and collectable by any and all legal means. (Video Timestamp 3:16:54)

4 IT IS FURTHER ORDERED that each Party shall be awarded the personal
5 property in their possession.
6

7 IT IS FURTHER ORDERED that the Plaintiff shall be responsible for the
8 following debt: (Video Timestamp 3:10:37)

- 9 1. ½ Bank of America debt ending in 6343- \$1,120.60 (\$560.30);
- 10 2. ½ Bank of America debt ending in 0153- \$2,712.58 (\$1,356.29);
- 11 3. ½ Chase credit card ending in 5682/5254- \$1,044.89 (\$522.45);
- 12 4. ½ Chase credit card ending in 5919/7774- \$6,200.00 (\$3,100.00);
- 13 and
- 14 5. Any and all other debts in the Plaintiff's name not listed herein.

15 IT IS FURTHER ORDERED that the Defendant shall be responsible for the
16 following debt: (Video Timestamp 3:10:15)

- 17 1. Any and all student loan debt;
- 18 2. Any and all PPP loan debt;
- 19 3. Any and all debts associated with his law practice;
- 20 4. Any and all other debts in the Defendant's name not listed herein.
- 21 5. ½ Bank of America debt ending in 6343- \$1,120.60 (\$560.30);
- 22 6. ½ Bank of America debt ending in 0153- \$2,712.58 (\$1,356.29);
- 23 7. ½ Chase credit card ending in 5682/5254- \$1,044.89 (\$522.45);
- 24 8. ½ Chase credit card ending in 5919/7774- \$6,200.00 (\$3,100.00);

25 IT IS FURTHER ORDERED that the Defendant shall pay to the Plaintiff one-
26 half of the community debt in the amount of \$5,539.03 as noted above. Said amount
27 is reduced to judgment and collectable by any and all legal means. (Video
28 Timestamp 3:11:18)

1 IT IS FURTHER ORDERED that the Defendant shall reimburse the Plaintiff
2 the sum of \$21,425.35 for the damage caused to the Plaintiff real property. Said
3 amount is reduced to judgment and collectable by any and all legal means. (Video
4 Timestamp 3:08:38)
5

6 IT IS FURTHER ORDERED that while Defendant is detained at the Clark
7 County Detention Center, spousal support shall be set at \$1.00 per month; however,
8 the month after his release spousal support shall be set at \$500.00 per month. The
9 spousal support is modifiable based upon Defendant's earning abilities. The
10 duration of spousal support is seven (7) years. (Video Timestamp 3:17:07)
11
12

13 IT IS FURTHER ORDERED that each and every year, until the last child
14 emancipates, the Defendant shall provide to Plaintiff a true and correct copy of his
15 Federal Income Tax Return. (Video Timestamp 3:17:33)
16

17 IT IS FURTHER ORDERED that on or before January 19, 2022, Plaintiff's
18 Counsel shall file and serve a Memorandum of Fees and Costs which shall include
19 *Brunzell* factors for both Ms. Roberts and Plaintiff's prior Counsel. The length of
20 time is thirty (30) days due to the holidays and to give Defendant time to respond
21 which shall be on or before Wednesday, February 2, 2022. (Video Timestamp
22 3:18:29)
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1 IT IS FURTHER ORDERED the Parties agree to hold each other harmless on
2 the debts awarded herein. As such, if either Party is required to file a Motion to
3 address a debt issue, the prevailing Party shall be awarded attorney's fees and costs.
4

5 IT IS FURTHER ORDERED that neither Party shall charge or cause or permit
6 to be charged, to or against the other, any purchase which either of them may
7 hereafter make, and shall not hereafter create any engagement or obligations in the
8 name of or against the other and shall never hereafter secure or attempt to secure any
9 credit upon or in connection with the other. in the event other community assets or
10 community debts of the Parties are discovered after the entry of the Decree of
11 Divorce, the Parties have the right to petition the Court for distribution of same. In
12 addition, neither Party shall take a position inconsistent with the terms of the Decree
13 of Divorce and shall respect the rights and privacy of the other Party. The Party
14 failing to follow the Decree of Divorce, shall be responsible for any and all
15 reasonable attorney fees associated with enforcing the terms of the Decree of
16 Divorce. The Court shall maintain jurisdiction over the obligations and terms of the
17 Decree of Divorce pursuant to the holding in *Siragusa v. Siragusa*, 108 Nev. 987,
18 843 P.2d 807 (1992), which allows an award of fees and costs to enforce the terms of
19 a Decree of Divorce.
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24 IT IS FURTHER ORDERED that the Plaintiff shall be restored to her prior
25 name of Emily Cardona, if she desires to do so after consideration of the fact the
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names of the children will be different. This Order shall serve as the document permitting the name change. (Video Timestamp 3:19:28)

IT IS FURTHER ORDERED, that the terms set forth in this Decree of Divorce may not be changed, modified, or terminated orally, and any such change, modification, or termination may only be made by a written instrument executed by the parties, or by further Order of the Court.

STATUTORY NOTICES:

The following statutory notices relating to the custody of minor children are applicable to the Parties:

The Parties are put on notice of the following provision of *NRS* §125C.006, which states:

1. If primary physical custody has been established pursuant to an order, judgment or decree of a court and the custodial parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the custodial parent desires to take the child with him or her, the custodial parent shall, before relocating:

(a) Attempt to obtain the written consent of the noncustodial parent to relocate with the child; and

(b) If the noncustodial parent refuses to give that consent, petition the court for permission to relocate with the child.

2. The court may award reasonable attorney's fees and costs to the custodial parent if the court finds that the noncustodial parent refused to consent to the custodial parent's relocation with the child:

- 1
2 (a) Without having reasonable grounds for such refusal, or
3 (b) For the purpose of harassing the custodial parent.

4 3. A parent who relocates with a child pursuant to this
5 section without the written consent of the noncustodial
6 parent or the permission of the court is subject to the
7 provisions of NRS 200.359.

8 Both Parties shall be bound by the provisions of *NRS* §125C.0045(6) which
9 states:

10 *PENALTY FOR VIOLATION OF ORDER:* THE ABDUCTION,
11 CONCEALMENT OR DETENTION OF A CHILD IN
12 VIOLATION OF THIS ORDER IS PUNISHABLE AS A
13 CATEGORY D FELONY AS PROVIDED IN *NRS* § 193.130.
14 *NRS* § 200.359 provides that every person having a limited right
15 of custody to a child or any parent having no right of custody to
16 the child who willfully detains, conceals or removes the child
17 from a parent, guardian or other person having lawful custody or
18 a right of visitation of the child in violation of an order of this
19 court, or removes the child from the jurisdiction of the court
20 without the consent of either the court or all persons who have
21 the right to custody or visitation is subject to being punished for
22 a category D felony as provided in *NRS* §193.130.

23 Pursuant to *NRS* §125C.0045(7), the terms of the Hague Convention of
24 October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
25 International Law, apply if a parent abducts or wrongfully retains a child in a foreign
26 country.

27 The minor children's habitual residence is located in the United States of
28 America. *NRS* § 125C.0045 (7) and (8) specifically provide as follows:

1 Section 7. In addition to the language required pursuant to subsection 6,
2 all orders authorized by this section must specify that the terms of the Hague
3 Convention of October 25, 1980, adopted by the 14th Session of the Hague
4 Conference on Private International Law, apply if a parent abducts or
wrongfully retains a child in a foreign country.

5 Section 8. If a parent of the child lives in a foreign country or has
6 significant commitments in a foreign country:

7 (a) The parties may agree, and the Court shall include in the
8 Order for custody of the child, that the United States is the
9 country of habitual residence of the child for the purposes of
10 applying the terms of the Hague Convention as set forth in
Subsection 7.

11 (b) Upon motion of the parties, the Court may order the parent
12 to post a bond if the Court determines that the parent poses an
13 imminent risk of wrongfully removing or concealing the child
14 outside the country of habitual residence. The bond must be in
15 an amount determined by the Court and may be used only to
16 pay for the cost of locating the child and returning him to his
17 habitual residence if the child is wrongfully removed from or
18 concealed outside the country of habitual residence. The fact
19 that a parent has significant commitments in a foreign country
does not create a presumption that the parent poses an
imminent risk of wrongfully removing or concealing the child.

20 The Parties are further put on notice that they are subject to the provisions of
21 *NRS* §31A and *NRS* § 125.450 regarding the collection of delinquent child support
22 payments.
23

24 The Parties are further put on notice that either Party may request a review of
25 child support pursuant to *NRS* §125B.145.
26
27
28

1 The Parties shall submit the information required in *NRS* §125B.055, *NRS*
2 §125.130 and *NRS* §125.230 on a separate form to the Court and the Welfare
3 Division of the Department of Human Resources within ten (10) days from the date
4 the Decree in this matter is filed. Such information shall be maintained by the Clerk
5 in a confidential manner and not part of the public record.
6

7 The Parties shall update the information filed with the Court and the Welfare
8 Division of the Department of Human Resources within ten (10) days should any of
9 that information become inaccurate.
10

11 IT IS SO ORDERED.
12
13
14

Dated this 23rd day of December, 2021



149 AB5 8E75 E48D
Mary Perry
District Court Judge

15
16 **ROBERTS STOFFEL FAMILY**
17 **LAW GROUP**

18 By: /s/ Amanda Roberts, Esq.
19 Amanda M. Roberts, Esq.
20 State of Nevada Bar No. 9294
21 4411 South Pecos Road
22 Las Vegas, Nevada 89121
23 PH: (702) 474-7007
24 Attorneys for Plaintiff
25
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Decree of Divorce was served via the court's electronic eFile system to
all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 12/23/2021

15 Amanda Roberts

efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17 Bradley Bellisario

bradb@bellisariolaw.com

18 Linda Bell

dept07lc@clarkcountycourts.us

20

21

22

23

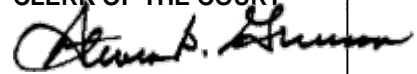
24

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26

27

28



1 **NEOJ**

2 Amanda M. Roberts, Esq.
3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road
6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorney for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**
12 **FAMILY DIVISION**
13 **CLARK COUNTY, NEVADA**

14 EMILY BELLISARIO,

15 Plaintiff,

16 v.

17 BRADELY BELLISARIO,

18 Defendant.

Case No: D-20-605263-D

Dept No: P

19 **NOTICE OF ENTRY OF FINDING OF FACTS, CONCLUSIONS**
20 **OF LAW AND DECREE OF DIVORCE**

21 \ \ \

22 \ \ \

23 \ \ \

24 \ \ \

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26 \ \ \

1 PLEASE TAKE NOTICE that the Findings of Fact, Conclusions of Law and
2 Decree of Divorce was duly entered on the 23rd day of December, 2021, a copy of
3 which is attached hereto and fully incorporated herein.
4

5 DATED this 23rd day of December, 2021.

6 **ROBERTS STOFFEL FAMILY LAW GROUP**

7 By: Amanda M. Roberts
8

9 Amanda M. Roberts, Esq.

10 State Bar of Nevada No. 9294

11 4411 S. Pecos Road

12 Las Vegas, Nevada 89121

13 PH: (702) 474-7007

14 FAX: (702) 474-7477

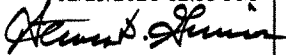
15 Attorney for Plaintiff, Emily Bellisario
16
17
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21
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Roberts Stoffel Family Law Group,
3 and on the 23rd day of December, 2021, I served by and through Wiz-Net
4 electronic service, pursuant Clark County District Court Administrative Order 14-2
5 for service of documents identified in Rule 9 of the N.E.F.C.R., the foregoing
6 Notice of Entry of Findings of Fact, Conclusions of Law and Decree of Divorce, to
7 the following:
8
9

10
11 Bradley Bellisario
12 Email: Bradb@bellisariolaw.com
13 Defendant *in proper person*

14 By: Amanda M. Roberts
15 Employee of Roberts Stoffel Family Law Group
16
17
18
19
20
21
22
23
24
25
26
27
28


CLERK OF THE COURT

1 **FFCL**

2 Amanda M. Roberts, Esq.

3 State of Nevada Bar No. 9294

4 **ROBERTS STOFFEL FAMILY LAW GROUP**

5 4411 S. Pecos Road

6 Las Vegas, Nevada 89121

7 PH: (702) 474-7007

8 FAX: (702) 474-7477

9 EMAIL: efile@lvfamilylaw.com

10 Attorneys for Plaintiff, Emily Bellisario

11 **DISTRICT COURT**
12 **FAMILY DIVISION**
13 **CLARK COUNTY, NEVADA**

14 EMILY BELLISARIO,

) Case No: D-20-605263-D

) Dept No: P

15 Plaintiff,

16 v.

17 BRADLEY BELLISARIO,

) Date of Trial: December 20, 2021

) Time of Trial: 9:00 a.m.

18 Defendant.

19 **FINDING OF FACT, CONCLUSIONS OF LAW**
20 **AND DECREE OF DIVORCE**

21 This matter having come before the Court on the 20th day of December, 2021,
22 for a Non-Jury Trial. The Plaintiff, Emily Bellisario (hereinafter referred to as
23 "Plaintiff" or "Emily"), being present, by and through her attorneys of record,
24 Amanda M. Roberts, Esq., of Roberts Stoffel Family Law Group, and the Defendant,
25 Bradley Bellisario (hereinafter referred to as "Defendant" or "Bradley"), not being
26 presented or represented by Counsel. The Court having heard testimony, reviewed

1 exhibits and considered the testimony along with arguments of Counsel and
2 pleadings on file herein, hereby finds and Orders as follows:

3
4 **FINDING OF FACT AND CONCLUSIONS OF LAW**

5 NOW THEREFORE,

6 THE COURT HEREBY FINDS that following Exhibits were admitted during
7 the Non-Jury Trial: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
8 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 33, 34, 35, 36, 37, 38, 39, 40, 41,
9 42, 43, 44, 45, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 72, 73,
10 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 89, 91, 92, 94, 97, 98, 100, 101,
11 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
12 120, 121, 122, and 123.

13
14
15 THE COURT FURTHER FINDS that the following Exhibits were admitted,
16 under seal, but may be reviewed by the Nevada Supreme Court/Court of Appeals if
17 this matter is reviewed by said Court: 124 (Donna's House Report dated May 7,
18 2021) and 125 (health insurance breakdown).

19
20 THE COURT FURTHER FINDS that the Parties are incompatible in
21 marriage, which makes it impossible to live together as husband and wife, to which
22 there is no possibility for reconciliation, and are entitled to a Decree of Divorce.
23 (Video Timestamp 2:41:40)
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1 THE COURT FURTHER FINDS that the Plaintiff is a resident of Clark
2 County, State of Nevada at all times relevant in this action and Plaintiff was a
3 resident for more than six (6) weeks prior to the commencement of this action
4 pursuant to *NRS* § 125C.020 (e). (Video Timestamp 2:41:30)

6 THE COURT FURTHER FINDS that jurisdiction in this matter is proper as
7 the Plaintiff is a resident of Clark County, Nevada and have been in excess of six (6)
8 weeks prior to the commencement of this action. (Video Timestamp 2:41:24)

10 THE COURT FURTHER FINDS that the Parties were married on August 16,
11 2014 and separated in June of 2019.

13 THE COURT FURTHER FINDS that the Parties have three (3) minor
14 children, to wit: Brayden Bellisario (“Brayden”), born January 15, 2015; Blake
15 Bellisario (“Blake”), born November 20, 2016; and Brooklyn Bellisario
16 (“Brooklyn”), born February 1, 2018. (Video Timestamp 3:13:24)

18 THE COURT FURTHER FINDS jurisdiction is proper pursuant to *NRS* §
19 125A.305 and 125A.085 as Nevada is the “home state” of the minor six (6) months
20 before the commencement of this action. (Video Timestamp 2:41:25)

22 THE COURT FURTHER FINDS that at the commencement of this action,
23 Defendant was an attorney who owned his own law firm. (Video Timestamp
24 2:42:09)

1 THE COURT FURTHER FINDS at the hearing on July 30, 2020 (Order filed
2 January 24, 2021), the Defendant was Ordered to pay Plaintiff child support to the
3 Plaintiff in the amount of \$2,560.00 per month and spousal support of \$1,000.00 per
4 month since the date of separation which was June of 2019. This amount was based
5 upon a gross monthly income of \$18,000.00 per month (Exhibit "18"). (Video
6 Timestamp 2:41:47)
7
8

9 THE COURT FURTHER FINDS that the Defendant alleged in his Financial
10 Disclosure Form filed February 7, 2021 that he ceased work as an attorney on or
11 about August 1, 2020 (Exhibit "19"); however, based upon filings with the Eighth
12 Judicial District Court (Exhibit "20"), Defendant continued to work for at least three
13 (3) months after he claimed to no longer be working at his law firm. (Video
14 Timestamp 2:42:05)
15
16

17 THE COURT FURTHER FINDS that on October 22, 2020 (Order filed
18 January 20, 2021), the District Court gave the Defendant an opportunity to purge his
19 contempt for not paying spousal support if he "immediately delivered his financial
20 books and records regarding his business and income." The Defendant failed to
21 comply with this Order. (Video Timestamp 2:42:15)
22

23 THE COURT FURTHER FINDS that the November 24, 2020 (Order filed
24 December 10, 2020), the District Court Ordered the Defendant to turn over his
25 business and personal financial documents by December 1, 2020. The Defendant
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1 failed to comply with this Order, and the Court's predecessor recommended if the
2 Defendant did not comply that an unequal distribution of community which was not
3 done. (Video Timestamp 2:43:17)
4

5 THE COURT FURTHER FINDS that the Defendant failed to comply with
6 discovery. As such, it was Ordered on March 17, 2021, that the Defendant be
7 precluded from presenting and replying upon at Trial or the Evidentiary Hearing any
8 evidence required to be produced by *NRCP* § 16.2 which was not produced within
9 five (5) days of the hearing. (Video Timestamp 2:43:38)
10

11 THE COURT FURTHER FINDS that the Defendant failed to timely respond
12 to Plaintiff's Request for Admission and pursuant to *NRCP* § 36 (a)(3) said
13 admissions are deemed admitted, as a matter of law, and will be addressed in more
14 detail herein. (Video Timestamp 2:43:57)
15

16 THE COURT FURTHER FINDS that there was an active Protection Order in
17 T-19-200404-T which was in place from September 18, 2019 through September 19,
18 2020. This Protection Order was never dismissed or dissolved, remaining effective
19 until expired on its own. (Video Timestamp 3:23:14)
20

21 THE COURT FURTHER FINDS that there was an overlapping Protection
22 Order in T-20-206639-T which has been in place from July 6, 2020 through the
23 current date. Said Protection Order shall expire on May 10, 2022. (Video
24 Timestamp 2:44:30)
25
26

1 THE COURT FURTHER FINDS that Donna Wilburn, MFT (“Wilburn”),
2 testified in this matter. Wilburn treated Brayden for two (2) sessions on February 2,
3 2020 and February 24, 2020. Wilburn stopped treating Brayden because Defendant
4 did not agree with her treatment of the child. In the two (2) sessions, Wilburn
5 determined that Brayden was under a lot of stress related to parental conflict which
6 made him nervous and he did not want his parents around each other, and he had
7 anxiety regarding his contact with Defendant. Brayden disclosed to Wilburn that he
8 saw a lot of scary behaviors, including his Dad being mean to his Mom, and was
9 afraid of Dad getting mad. When Wilburn stopped treating Brayden, she referred
10 him to Anna Trujillo, MFT (“Trujillo”). (Video Timestamp 2:45:21)

14 THE COURT FURTHER FINDS at one child exchange, Brayden did not want
15 to go to visit Defendant and was crying. Saira McKinley (“Saira”) picked Brayden
16 up and began swinging him around, and once Brayden got away from Saira he ran to
17 Plaintiff. (Video Timestamp 2:46:28)

19 THE COURT FURTHER FINDS that the Complaint for Divorce was filed on
20 March 5, 2020, and during the almost two (2) year period of time, Defendant has
21 done nothing to cooperate, communicate or compromise to act in the best interest of
22 the minor children. (Video Timestamp 2:49:17)

1 THE COURT FURTHER FINDS as it relates to best interest/wishes of the
2 children- they are not of a sufficient age and capacity to state a preference. (Video
3 Timestamp 2:50:23)
4

5 THE COURT FURTHER FIND as it relates to best interest/nomination of
6 guardian- there has been no nomination of guardian in this matter. (Video
7 Timestamp 2:50:38)
8

9 THE COURT FURTHER FINDS as it relates to best interest/frequent
10 association and continuing relationship- though Plaintiff has requested the
11 Defendant's visitation be supervised, she is requesting a schedule be set up to allow
12 Defendant the ability to maintain a relationship with the children; and Plaintiff
13 attempted to bribe Brayden to do visits with the Defendant, but Brayden refused to
14 go. Defendant has shown no signs of not allowing frequent association and a
15 continuing relationship with Plaintiff. Therefore, the Court views this factor as
16 neutral. (Video Timestamp 2:50:45)
17
18

19 THE COURT FURTHER FINDS at it relates to the best interest/level of
20 conflict- Plaintiff was subjected to many acts of domestic violence and violations of
21 the Protection Orders that were in place at the time and currently in place;
22 Defendant's communication to Plaintiff, her attorneys and therapists for the children
23 have increased the conflict; at supervised visitation at Donna's House, Defendant
24 became violent with the Marshalls and had to be escorted out based upon the
25
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1 Donna's House report filed under seal as Exhibit "124" which was admitted; as well
2 as the domestic violence facts as set forth herein below. Therefore, this factor
3 weighs against Defendant in favor of Plaintiff. This is also a factor relevant to
4 continued supervised visitation for the Defendant. (Video Timestamp 2:51:22)
5

6 THE COURT FURTHER FINDS at it relates to the best interest/ability of the
7 parents to cooperate- Defendant has continuously refused to cooperate with Court
8 Orders including paying child support as required; Defendant's willingness to be
9 confrontational and abusive in the presence of the children, shows a blatant refusal to
10 cooperate with the Plaintiff in raising the children; Defendant filed a civil law suit
11 against the child's therapists; multiple lawsuits against Plaintiff and others; as well as
12 the domestic violence facts as set forth herein below. Therefore, this factor weighs
13 against Defendant in favor of Plaintiff. (Video Timestamp 2:52:15)
14
15

16 THE COURT FURTHER FINDS at it relates to the best interest/mental and
17 physical health of the parents- this factor could have been put to rest if the Defendant
18 had cooperated in completion of the psychological evaluation as Ordered, but
19 Defendant's refusal to do so and his acts in violation of the Protection Orders raise
20 suspicion and/or concern as to a minimum ability to deal with his anger. During
21 supervised visitation at Donna's House, Defendant became violent with the
22 Marshalls and had to be escorted out of the building according to the Donna's House
23 Report filed under seal and admitted as Exhibit "124". Defendant's out of control
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1 behavior further shows a possibility of mental health issues that could place the
2 children in danger should Defendant have unsupervised contact with the minor
3 children; the Defendant has allegedly engaged in multiple attacks and stalking of
4 other people; he has threatened another man, Jason Elleman, with a "Columbian
5 neck tie" which is a claim he would slit the throat of the man who is his ex-
6 girlfriend's ex-boyfriend, which the subject of a criminal case. Defendant has posted
7 many false reports regarding many professional involved with this family including
8 therapists, attorneys and judges. Defendant's posts are rants that are hard to follow
9 and understand; as well as the domestic violence facts as set forth herein below.
10 There are no such problems for the Plaintiff. Therefore, this factor weighs against
11 Defendant in favor of Plaintiff. (Video Timestamp 2:52:53)

15 THE COURT FURTHER FINDS at it relates to the best interest/physical,
16 developmental and emotional needs of the child- the children are young, and
17 Brayden has shown the need for therapy, with Wilburn and Trujillo, regarding being
18 subjected to domestic violence and adverse treatment of his Mother by his Father,
19 not once, but twice. Brayden has threatened violence against adults and threatened
20 to kill his Mother; Brayden is just six (6) years old. There is a possibility this
21 behavior is being learned from Defendant. Therefore, this factor weighs against
22 Defendant in favor of Plaintiff. Moreover, this factor weighs in the Court's decision
23 regarding supervised visitation for the Defendant. (Video Timestamp 2:54:30)

1 THE COURT FURTHER FINDS at it relates to the best interest/nature of
2 relationship with parents- the children have a loving relationship with Plaintiff;
3 whereas, Defendant has gone more than a year with no more than supervised
4 visitation, the relationship between Defendant and the children will probably need to
5 be rebuilt once he finishes his psychological evaluation as previously Ordered.
6 Therefore, this factor weighs against Defendant in favor of Plaintiff. (Video
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8 Timestamp 2:55:31)
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10 THE COURT FURTHER FINDS at it relates to the best interest/sibling
11 relationship that there are no other siblings besides those of this relationship.
12 Therefore, this factor is not applicable. (Video Timestamp 2:56:04)
13

14 THE COURT FURTHER FINDS at it relates to the best interest/abuse or
15 neglect- the Defendant threw juices boxes and food at the children when they
16 ignored him during a child exchange, and abused the Plaintiff in front of the minor
17 children. Therefore, this factor weighs against Defendant in favor of Plaintiff.
18 (Video Timestamp 2:56:12)
19

20 THE COURT FURTHER FINDS at it relates to the best interest/abduction-
21 this factor is not applicable. (Video Timestamp 2:56:45)
22

23 THE COURT FURTHER FINDS at it relates to the best interest/domestic
24 violence- the violence began during the Plaintiff's first pregnancy. (Video
25 Timestamp 2:56:55)
26

1 THE COURT FURTHER FINDS at it relates to the best interest/domestic
2 violence- that the Plaintiff showed, by clear and convincing evidence, that on August
3 6, 2019, Defendant left bruises on the Plaintiff's arm and thigh, by banging the door
4 on her while Brayden watched the incident. He also tore the garage door off and
5 then left.
6

7 That the Plaintiff showed, by clear and convincing evidence on
8 September 16, 2019, Defendant began banging on the door, then broke a back
9 window to get into the home, wherein he began throwing furniture including
10 throwing a television over the loft on the 2nd floor to the 1st floor, ripping a television
11 off the wall in the living room, while Brayden was present and the police were on the
12 telephone, Defendant destroyed the children's fish tank, causing all three children to
13 watch as fish died, and caused damages to the cabinets and sink in the area around
14 the fish tank, kicking in the dishwasher, ripping the fan out of the wall from above
15 the stove, broke multiple mirrors/artwork/wine bottles, ripped the hinges from the
16 bathroom cabinet doors, threw a large picture in a frame onto the toddler's bed,
17 kicked in the toddler gate at the top of the stairs. Exhibit "31" is a detailed invoice of
18 the damage caused that night which was admitted. (Video Timestamp 2:57:29)
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23 THE COURT FURTHER FINDS at it relates to the best interest/domestic
24 violence- that the Plaintiff showed, by clear and convincing evidence, on June 22,
25 2020, the Defendant backed his car into the garage of Plaintiff's home after
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1 threatening to kill the Plaintiff. Upon determining Plaintiff was not home, Defendant
2 began backing into neighbors' vehicles, driving forward and backing up into a city
3 light pole which was knocked down onto a neighbor's vehicle. Defendant also hit
4 neighbors vehicles with sticks. Defendant then drove up and down the road.
5 Defendant then showed up at the home of Plaintiff's Father where she and the
6 children were barricaded in the bathroom with Plaintiff's Father protecting them with
7 a shotgun. Defendant was arrested and pictures of Defendant's vehicle were taken
8 showing damage. At the time, Protection Order T-19-200404-T was in place.
9 (Video Timestamp 2:5845)

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13 THE COURT FURTHER FINDS at it relates to the best interest/domestic
14 violence- that the Plaintiff showed, by clear and convincing evidence, on February 2,
15 2021, Defendant showed up at the Plaintiff's house thirty-three (33) minutes late for
16 a child exchange and began throwing juice boxes and food at the Plaintiff's front
17 door while the children present because the children would not respond to calls from
18 the Defendant. (Video Timestamp 3:00:08)

19
20
21 THE COURT FURTHER FINDS at it relates to the best interest/domestic
22 violence- the Plaintiff propounded a Request for Admission on the Defendant which
23 were deemed admitted due to Defendant's failure to respond. As such, the following
24 were admitted: (Video Timestamp 3:00:55)

- 25
26 • Defendant committed domestic violence against Plaintiff as
27 defined by *NRS* § 33.018. (Video Timestamp 3:01:09)

- Defendant entered a plea to battery in case 19F19371X. (Video Timestamp 3:01:18)
- In case 19F19371X, Defendant was required to complete an impulse control course. (Video Timestamp 3:01:29)
- In case 19F19371X, Defendant was required to complete domestic violence counseling. (Video Timestamp 3:01:35)
- On or about August 1, 2019, Defendant struck Plaintiff on the left side of her cheek. (Video Timestamp 3:01:47)
- On or about August 1, 2019, Defendant caused a welt to be left on Plaintiff's left arm. (Video Timestamp 3:01:56)
- The bruises depicted in the photographs of Emily Bellisario attached to the Request for Admissions as **Exhibit "1"** were caused by Defendant on or about August 1, 2019. (Video Timestamp 3:02:05)
- Defendant threatened to place "Gabe in the ground." (Video Timestamp 3:02:21)
- Defendant stated he was going "to murder" someone known to Plaintiff. (Video Timestamp 3:02:27)
- Defendant stated that Mario would "be drinking through a straw till he dies." (Video Timestamp 3:02:34)
- Defendant stated, "I am going to destroy the fuckers life." (Video Timestamp 3:02:41)
- Defendant threatened to kill anyone in a relationship with Plaintiff. (Video Timestamp 3:02:48)
- Defendant stated that he was going to "kill" Emily Bellisario. (Video Timestamp 3:02:53)
- Defendant caused the marital residence to be in the condition depicted in the photographs attached as **Exhibit "2"**. (Video Timestamp 3:02:58)
- Defendant caused physical damage to the following personal property items in Plaintiff's residence located at 1913 Sondrio Drive, Las Vegas, Nevada, 89134: (1.) two televisions; (2.) two chairs; (3.) appliances; (4.) furniture; (5.) broken vase; and (6). fish bowl. (Video Timestamp 3:03:12)
- Defendant caused physical to the home where Plaintiff resides located at 1913 Sondrio Drive, Las Vegas, Nevada, 89134: (1.) rear window; (2.) front door of the residence; and (3.) lighting fixtures. (Video Timestamp 3:03:36)

- Defendant caused bruises to Plaintiff on or about September 16, 2019. (Video Timestamp 3:03:49)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left shoulder. (Video Timestamp 3:03:56)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left elbow. (Video Timestamp 3:04:02)
- On or about September 16, 2019, Defendant caused a redness to be left on Plaintiff's left side of her back. (Video Timestamp 3:04:07)
- That the minor child, Brayden Bellisario, witnessed Defendant committed domestic violence against Plaintiff as defined by NRS § 33.018. (Video Timestamp 3:04:14)

THE COURT FURTHER FINDS at it relates to the best interest/domestic violence- that the Plaintiff showed, by clear and convincing evidence, that she received text messages from Defendant that were threatening Plaintiff including killing her boyfriends and showing that he was stalking her and her boyfriend. Defendant threatened Plaintiff's Father (maternal grandfather) in September of 2019; and Defendant threatened Plaintiff's college friend. These acts are forms of harassment and attempts to isolate Plaintiff from any of her friends and family. (Video Timestamp 3:04:32)

THE COURT FURTHER FINDS that the factors regarding domestic violence weigh against the Defendant and favor the Plaintiff. (Video Timestamp 2:52:03)

THE COURT FURTHER FINDS at it relates to the best interest - Defendant would harass professionals in a way that would attempt to get them to drop the Plaintiff as a client. (Video Timestamp 3:05:18)

1 THE COURT FURTHER FINDS at it relates to the best interest - there are
2 criminal charges pending against the Defendant. The Defendant was in custody,
3 wherein it was advised that the CCDC was not transporting individuals, nor was it
4 being permitted for video conference or telephone conference. (Video Timestamp
5 3:00:47)
6

7 THE COURT FURTHER FINDS on November 14, 2020, Saira was supposed
8 to be present for supervised visitation or both Paternal Grandfather and Maternal
9 Grandfather; however, Defendant was left alone with the minor children. (Video
10 Timestamp 3:05:38)
11

12 THE COURT FURTHER FINDS on November 21, 2020, Defendant was
13 supposed to be supervised with the minor children; however, Defendant was alone
14 with the minor children in his parking garage with no supervisor present. Saira was
15 supposed to be the supervisor on this occasion. (Video Timestamp 3:05:55)
16

17 THE COURT FURTHER FINDS on June 10, 2020, the Plaintiff and
18 Defendant entered into a Stipulation and Order that a full outsource custody
19 evaluation would be completed including psychological evaluations of the Parties.
20 (Video Timestamp 2:46:52)
21

22 THE COURT FURTHER FINDS on June 26, 2021, the Court Ordered that the
23 "Court shall not entertain requests to modify the Defendant's visitation with the
24 minor children until he completes the psychological evaluation." (Video Timestamp
25 2:47:13)
26

1 THE COURT FURTHER FINDS that at the time of scheduling the Non-Jury
2 Trial/Evidentiary Hearing, Defendant made his intention clear that he would attempt
3 to put off the Non-Jury Trial/Evidentiary Hearing and cause more delay. (Video
4 Timestamp 2:47:30)

6 THE COURT FURTHER FINDS that after Defendant's multiple civil
7 lawsuits, and continuous filings that were duplicative and in many other courts
8 regarding the same subject matters, this Court granted vexatious litigant status
9 against the Defendant. (Video Timestamp 2:47:40)

11 THE COURT FURTHER FINDS that Defendant failed to pay medical
12 insurance premiums for the minor children and therefore, he shall reimburse one-half
13 to the Plaintiff ($\$761.94 \times 32 \text{ months} = \$24,382.08/2$) the sum of \$12,191.04.
14 (Video Timestamp (Video Timestamp 3:22:20)

16 THE COURT FURTHER FINDS that the Defendant failed to reimburse
17 Plaintiff one-half of medical bills for the minor children in the amount of \$3,435.22,
18 with and his one-half obligation is \$1,717.61. (Video Timestamp 3:08:53)

20 THE COURT FURTHER FINDS that the Court declines to find Defendant
21 committed community waste as it relates to gambling. In Las Vegas, people gamble.
22 The Court agrees that Defendant should have paid the Court Ordered support, but the
23 Court cannot determine the source of the funds for the monies expended and the
24 funds may have well come from Defendant's law practice. (Video Timestamp
25 3:09:16)

1 THE COURT FURTHER FINDS that Defendant did commit community
2 waste by destroying his law practice, allegedly stealing money from clients and
3 having his law license suspended. (Video Timestamp 3:09:32)
4

5 THE COURT FURTHER FINDS that the residence at 1913 Sondrio Drive
6 was purchased by the Plaintiff prior to the Parties marriage. (Video Timestamp
7 3:06:33)
8

9 THE COURT FURTHER FINDS that since the Parties marriage through
10 December of 2021, community funds were used to pay the mortgage payments. That
11 the Court determines it to be eighty-eight (88) payments at \$1,011.00 per month for a
12 total amount of payments of \$88,968.00 less the deferred mortgage payments of
13 \$14,197.34. Therefore, the Defendant's share is one-half of the payments or
14 (\$77,789.00/2) \$37,394.50. (Video Timestamp 3:06:39)
15
16

17 THE COURT FURTHER FINDS that from the Defendant's share of the
18 mortgage payments the child support arrears shall be deducted first which total
19 \$49,377.82. Therefore, the Defendant's share of the mortgage payments is
20 eliminated by the child support arrears and the remaining amount of child support
21 arrears owed is \$11,988.32. (Video Timestamp 3:08:12)
22

23 THE COURT FURTHER FINDS that the Defendant's wrongful acts caused
24 damage to the real property at 1913 Sondrio Drive in the amount of \$21,425.35.
25 (Video Timestamp 3:08:38)
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1 THE COURT FURTHER FINDS the following debts to be community in
2 nature with each Party being responsible for one-half of said obligation: (Video
3 Timestamp 3:10:38)
4

- 5 • Bank of America debt ending in 6343- \$1,120.60
- 6 • Bank of America debt ending in 0153- \$2,712.58
- 7 • Chase credit card ending in 5682/5254- \$1,044.89
- 8 • Chase credit card ending in 5919/7774- \$6,200.00

9 THE COURT FURTHER FINDS that the Defendant's student loans were
10 incurred before marriage and are not a community debt. (Video Timestamp 3:11:22)

11 THE COURT FURTHER FINDS that the Defendant's PPP loan of \$23,000.00
12 for Defendant's law practice is not a community debt. (Video Timestamp 3:10:15)

13 THE COURT FURTHER FINDS that any debt owed to Defendant's clients is
14 not community debt. (Video Timestamp 3:11:37)

15 THE COURT FURTHER FINDS that the Plaintiff withdrew her request for
16 Defendant to be held in contempt of Court. (Video Timestamp 3:11:44)

17 THE COURT FURTHER FINDS that the Defendant has the ability to earn the
18 wages of a seasoned law clerk/paralegal, which this Court determines to be
19 reasonably \$35.00 per hour. (Video Timestamp 2:48:48)

20 THE COURT FURTHER FINDS that Defendant's lack of cooperation in the
21 outsource evaluation, psychological evaluation and discovery has significantly
22 increased the cost of litigation. (Video Timestamp 2:43:39, 2:47:53)

1 THE COURT FURTHER FINDS as a result of Defendant's failure to comply
2 with the Court Order regarding child support, he owes child support arrears through
3 December of 2021 in the amount of \$49,377.82, credited by the above noted
4 financial credit as it relates to the mortgage payments, resulting in a total amount of
5 child support arrears amount of \$11,988.32. (Video Timestamp 2:42:33)
6

7 THE COURT FURTHER FINDS as a result of Defendant's failure to comply
8 with the Court Order regarding spousal support, he owes spousal support arrears
9 through December of 2021 in the amount of \$33,982.84. (Video Timestamp
10 2:42:59)
11

12 THE COURT FURTHER FINDS that the Defendant shall have the ability to
13 provide proof to the Court that he made child support payments and spousal support
14 payments for which he was not given credit. (Video Timestamp 2:42:50, 3:16:00)
15

16 THE COURT FURTHER FINDS that attorney fees were awarded from
17 Defendant to Plaintiff pursuant to the Order from April 21, 2021, in the amount of
18 \$3,239.50; and attorney fees were awarded from Defendant to Plaintiff pursuant to
19 the Order from September 20, 2021, in the amount of \$2,659.50. (Video Timestamp
20 3:11:59)
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1 **CONCLUSIONS OF LAW**

2 1. That the Court has jurisdiction pursuant to NRS 125.020, 125.120,
3 125.130, and to make orders as to the parties' legal status;

4 2. That the Court has the authority to make orders as it pertains to the marital
5 estate, separate and/or community property/debts (NRS 125.150);

6 3. That the Court has the authority to make orders as it pertains to Custody
7 (NRS 125C, et.seq., *Rivero -v- Rivero*, 216, P.3d 213 (2009); 125 Nev. Adv. Op.
8 No. 34 (August 27, 2009), *Wallace v. Wallace*, 112 Nev. 1015, 1019, 922 P.2d 541,
9 543 (1996) ("Matters of custody and support of minor children rest in the sound
10 discretion of the trial court"); *Bluestein v. Bluestein*, 131 Nev., Adv. Op. 14, 345
11 P.3d 1044, 1048 (2015) reiterating that "in custody matters, the child's best interest is
12 paramount");

13 4. That the Court has the authority to make orders as it pertains to Child
14 Support (NAC Chapter 425; NRS 125B et.seq., *Barbagallo v. Barbagallo*, 105 Nev.
15 546, 779 P.2d 532 (1989);

16 **DECREE AND ORDERS**

17 *NOW THEREFORE*, and good cause appearing; It Is Hereby

18 ORDERED the bonds of matrimony heretofore and now existing between the
19 Parties be, and the same are hereby, wholly dissolved and an absolute Decree of
20 Divorce is hereby granted to the Parties, and each Party hereto is restored to the
21 status of a single, unmarried person. (Video Timestamp 3:12:32)

1 IT IS FURTHER ORDERED that the Plaintiff is awarded **Sole Legal**
2 **Custody** of the minor children which includes the ability to make all religious,
3 medical and educational decisions for the minor children. This includes the ability to
4 obtain Passports for the minor children without Defendant's signature being
5 necessary, and travel outside the United States without the Defendant's permission.
6 (Video Timestamp 3:13:20, 3:13:58)
7

8
9 IT IS FURTHER ORDERED that as it relates to legal custody, it may be
10 determined a change in circumstance if the Defendant submits to the psychological
11 examination by Dr. Stephanie Holland as previously Ordered, at his cost, as more
12 specifically set forth herein. (Video Timestamp 3:13:39)
13

14 IT IS FURTHER ORDERED that the Plaintiff is awarded Primary Physical
15 custody subject to the following: (Video Timestamp 3:14:06)
16

- 17 • Upon Defendant's criminal cases being complete, he shall have
18 four (4) hours of supervised visitation at Family First at his cost,
19 upon requesting same from the Court. The supervision shall be
20 closely monitored whereby someone from Family First shall be
21 able to hear all Defendant's conversations with the minor
22 children. If Family First determines there are inappropriate
23 comments or behavior, Family First may immediately cut off
24 supervised visitation for that visitation session, and may resume
25 at the next regularly visitation period. (Video Timestamp
26 3:14:12, 3:14:30)
- 27 • Defendant shall not have any visitation until all of the criminal
28 cases are resolved. (Video Timestamp 3:14:20)

1 IT IS FURTHER ORDERED that it may be a change in circumstance, for
2 physical custody, if Defendant completes a psychological evaluation. The evaluation
3 shall be paid for by the Defendant. It shall be completed by Dr. Holland and if she is
4 no longer able to take the case or has retired, then the Plaintiff shall select the
5 provider to conduct the psychological evaluation. (Video Timestamp 3:14:50,
6 3:21:36)
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9 IT IS FURTHER ORDERED that the Plaintiff shall provide health insurance
10 for the minor children and the Parties shall equally divide the cost of the health
11 insurance premium. The current premium amount is \$802.00 per month and
12 Defendant's one-half obligation is \$401.00 per month. The premium may fluctuate
13 from time to time, and Plaintiff may file a "Notice of Change of Health Insurance
14 Premium" and serve same upon the Defendant. (Video Timestamp 3:16:21)
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16

17 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff health
18 insurance premium arrears of \$12,191.04. Said amount is reduced to judgment and
19 collectable by any and all legal means. (Video Timestamp 3:22:20)
20

21 IT IS FURTHER ORDERED that any unreimbursed medical, dental, optical,
22 orthodontic, or other health related expense incurred for the benefit of the minor
23 children is to be divided equally between the Parties. Either Party incurring an out of
24 pocket medical expense for the children shall provide a copy of the paid
25 invoice/receipt to the other party within thirty (30) days of incurring such expense.
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1 If not tendered within the thirty (30) day period, the Court may consider it a waiver
2 of reimbursement. The other Party will then have thirty (30) days from receipt
3 within which to dispute the expense in writing or reimburse the incurring Party for
4 one-half of the out of pocket expense. If not disputed or paid within the thirty (30)
5 day period, the Party may be subject to a finding of contempt and appropriate
6 sanctions. (Video Timestamp 3:16:45)
7

8
9 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff
10 unreimbursed health insurance cost of \$1,717.61. Said amount is reduced to
11 judgment and collectable by any and all legal means. (Video Timestamp_____)
12

13 IT IS FURTHER ORDERED that the Plaintiff shall be permitted to claim the
14 minor children for tax purposes, in all years, and be awarded 100 percent of any
15 child tax credits. (Video Timestamp 3:16:48)
16

17 IT IS FURTHER ORDERED that the Defendant shall pay Plaintiff child
18 support. The child support is suspended while the Defendant is detained at the Clark
19 County Detention Center; however, upon being released his child support the next
20 month upon release shall be set at \$1,569.00 per month based upon an imputed wage
21 of \$35.00 per hour which equates to \$6,067.00 per month. (Video Timestamp
22 3:15:03)
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1 IT IS FURTHER ORDERED that upon obtaining employment, Defendant
2 shall file and serve a Financial Disclosure Form including proof of income from his
3 employer. (Video Timestamp 3:15:24)
4

5 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff child
6 support arrears of \$49,377.82; however, Defendant may provide proof of payment
7 for additional payments and he shall be given credit for those payments. A portion
8 of the child support arrears are being paid from the Defendant's community share of
9 mortgage payments on 1913 Sondrio Drive and the remaining amount owed is
10 \$11,988.32. Said amount is reduced to judgment and collectable by any and all legal
11 means. (Video Timestamp 3:15:48)
12
13

14 IT IS FURTHER ORDERED that the real property at 1913 Sondrio Drive, Las
15 Vegas, Nevada 89134 (Parcel No. 137-24-717-031) is confirmed as Plaintiff's sole
16 and separate property. (Video Timestamp 3:06:36)
17

18 IT IS FURTHER ORDERED that the Defendant's mortgage payment interest
19 in the real property at 1913 Sondrio Drive, Las Vegas, Nevada 89134 (Parcel No.
20 137-24-717-031) is \$37,394.50 and the amount is reduced by \$37,394.50 as
21 application for the child support arrears. As such, Defendant has no interest in the
22 mortgage reimbursement. (Video Timestamp 3:08:10)
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1 IT IS FURTHER ORDERED that the Defendant owes the Plaintiff spousal
2 support arrears of \$33,982.84 through December of 2021. Said amount is reduced to
3 judgment and collectable by any and all legal means. (Video Timestamp 3:16:54)

4 IT IS FURTHER ORDERED that each Party shall be awarded the personal
5 property in their possession.
6

7 IT IS FURTHER ORDERED that the Plaintiff shall be responsible for the
8 following debt: (Video Timestamp 3:10:37)

- 9 1. ½ Bank of America debt ending in 6343- \$1,120.60 (\$560.30);
- 10 2. ½ Bank of America debt ending in 0153- \$2,712.58 (\$1,356.29);
- 11 3. ½ Chase credit card ending in 5682/5254- \$1,044.89 (\$522.45);
- 12 4. ½ Chase credit card ending in 5919/7774- \$6,200.00 (\$3,100.00);
- 13 and
- 14 5. Any and all other debts in the Plaintiff's name not listed herein.

15 IT IS FURTHER ORDERED that the Defendant shall be responsible for the
16 following debt: (Video Timestamp 3:10:15)

- 17 1. Any and all student loan debt;
- 18 2. Any and all PPP loan debt;
- 19 3. Any and all debts associated with his law practice;
- 20 4. Any and all other debts in the Defendant's name not listed herein.
- 21 5. ½ Bank of America debt ending in 6343- \$1,120.60 (\$560.30);
- 22 6. ½ Bank of America debt ending in 0153- \$2,712.58 (\$1,356.29);
- 23 7. ½ Chase credit card ending in 5682/5254- \$1,044.89 (\$522.45);
- 24 8. ½ Chase credit card ending in 5919/7774- \$6,200.00 (\$3,100.00);

25 IT IS FURTHER ORDERED that the Defendant shall pay to the Plaintiff one-
26 half of the community debt in the amount of \$5,539.03 as noted above. Said amount
27 is reduced to judgment and collectable by any and all legal means. (Video
28 Timestamp 3:11:18)

1 IT IS FURTHER ORDERED that the Defendant shall reimburse the Plaintiff
2 the sum of \$21,425.35 for the damage caused to the Plaintiff real property. Said
3 amount is reduced to judgment and collectable by any and all legal means. (Video
4 Timestamp 3:08:38)
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6 IT IS FURTHER ORDERED that while Defendant is detained at the Clark
7 County Detention Center, spousal support shall be set at \$1.00 per month; however,
8 the month after his release spousal support shall be set at \$500.00 per month. The
9 spousal support is modifiable based upon Defendant's earning abilities. The
10 duration of spousal support is seven (7) years. (Video Timestamp 3:17:07)
11
12

13 IT IS FURTHER ORDERED that each and every year, until the last child
14 emancipates, the Defendant shall provide to Plaintiff a true and correct copy of his
15 Federal Income Tax Return. (Video Timestamp 3:17:33)
16

17 IT IS FURTHER ORDERED that on or before January 19, 2022, Plaintiff's
18 Counsel shall file and serve a Memorandum of Fees and Costs which shall include
19 *Brunzell* factors for both Ms. Roberts and Plaintiff's prior Counsel. The length of
20 time is thirty (30) days due to the holidays and to give Defendant time to respond
21 which shall be on or before Wednesday, February 2, 2022. (Video Timestamp
22 3:18:29)
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1 IT IS FURTHER ORDERED the Parties agree to hold each other harmless on
2 the debts awarded herein. As such, if either Party is required to file a Motion to
3 address a debt issue, the prevailing Party shall be awarded attorney's fees and costs.
4

5 IT IS FURTHER ORDERED that neither Party shall charge or cause or permit
6 to be charged, to or against the other, any purchase which either of them may
7 hereafter make, and shall not hereafter create any engagement or obligations in the
8 name of or against the other and shall never hereafter secure or attempt to secure any
9 credit upon or in connection with the other. in the event other community assets or
10 community debts of the Parties are discovered after the entry of the Decree of
11 Divorce, the Parties have the right to petition the Court for distribution of same. In
12 addition, neither Party shall take a position inconsistent with the terms of the Decree
13 of Divorce and shall respect the rights and privacy of the other Party. The Party
14 failing to follow the Decree of Divorce, shall be responsible for any and all
15 reasonable attorney fees associated with enforcing the terms of the Decree of
16 Divorce. The Court shall maintain jurisdiction over the obligations and terms of the
17 Decree of Divorce pursuant to the holding in *Siragusa v. Siragusa*, 108 Nev. 987,
18 843 P.2d 807 (1992), which allows an award of fees and costs to enforce the terms of
19 a Decree of Divorce.
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24 IT IS FURTHER ORDERED that the Plaintiff shall be restored to her prior
25 name of Emily Cardona, if she desires to do so after consideration of the fact the
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1 names of the children will be different. This Order shall serve as the document
2 permitting the name change. (Video Timestamp 3:19:28)

3
4 IT IS FURTHER ORDERED, that the terms set forth in this Decree of
5 Divorce may not be changed, modified, or terminated orally, and any such change,
6 modification, or termination may only be made by a written instrument executed by
7 the parties, or by further Order of the Court.
8

9 ***STATUTORY NOTICES:***

10 The following statutory notices relating to the custody of minor children are
11 applicable to the Parties:
12

13 The Parties are put on notice of the following provision of *NRS* §125C.006,
14 which states:

15 1. If primary physical custody has been established pursuant
16 to an order, judgment or decree of a court and the custodial
17 parent intends to relocate his or her residence to a place
18 outside of this State or to a place within this State that is at
19 such a distance that would substantially impair the ability of
20 the other parent to maintain a meaningful relationship with
the child, and the custodial parent desires to take the child
with him or her, the custodial parent shall, before relocating:

21 (a) Attempt to obtain the written consent of the
noncustodial parent to relocate with the child; and

22 (b) If the noncustodial parent refuses to give that consent,
23 petition the court for permission to relocate with the
child.
24

25 2. The court may award reasonable attorney's fees and costs
26 to the custodial parent if the court finds that the noncustodial
parent refused to consent to the custodial parent's relocation
with the child:
27

- 1
2 (a) Without having reasonable grounds for such refusal, or
3 (b) For the purpose of harassing the custodial parent.

4 3. A parent who relocates with a child pursuant to this
5 section without the written consent of the noncustodial
6 parent or the permission of the court is subject to the
7 provisions of NRS 200.359.

8 Both Parties shall be bound by the provisions of *NRS* §125C.0045(6) which
9 states:

10 *PENALTY FOR VIOLATION OF ORDER:* THE ABDUCTION,
11 CONCEALMENT OR DETENTION OF A CHILD IN
12 VIOLATION OF THIS ORDER IS PUNISHABLE AS A
13 CATEGORY D FELONY AS PROVIDED IN *NRS* § 193.130.
14 *NRS* § 200.359 provides that every person having a limited right
15 of custody to a child or any parent having no right of custody to
16 the child who willfully detains, conceals or removes the child
17 from a parent, guardian or other person having lawful custody or
18 a right of visitation of the child in violation of an order of this
19 court, or removes the child from the jurisdiction of the court
20 without the consent of either the court or all persons who have
21 the right to custody or visitation is subject to being punished for
22 a category D felony as provided in *NRS* §193.130.

23 Pursuant to *NRS* §125C.0045(7), the terms of the Hague Convention of
24 October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
25 International Law, apply if a parent abducts or wrongfully retains a child in a foreign
26 country.

27 The minor children's habitual residence is located in the United States of
28 America. *NRS* § 125C.0045 (7) and (8) specifically provide as follows:

1 Section 7. In addition to the language required pursuant to subsection 6,
2 all orders authorized by this section must specify that the terms of the Hague
3 Convention of October 25, 1980, adopted by the 14th Session of the Hague
4 Conference on Private International Law, apply if a parent abducts or
5 wrongfully retains a child in a foreign country.

6 Section 8. If a parent of the child lives in a foreign country or has
7 significant commitments in a foreign country:

8 (a) The parties may agree, and the Court shall include in the
9 Order for custody of the child, that the United States is the
10 country of habitual residence of the child for the purposes of
11 applying the terms of the Hague Convention as set forth in
12 Subsection 7.

13 (b) Upon motion of the parties, the Court may order the parent
14 to post a bond if the Court determines that the parent poses an
15 imminent risk of wrongfully removing or concealing the child
16 outside the country of habitual residence. The bond must be in
17 an amount determined by the Court and may be used only to
18 pay for the cost of locating the child and returning him to his
19 habitual residence if the child is wrongfully removed from or
20 concealed outside the country of habitual residence. The fact
21 that a parent has significant commitments in a foreign country
22 does not create a presumption that the parent poses an
23 imminent risk of wrongfully removing or concealing the child.

24 The Parties are further put on notice that they are subject to the provisions of
25 *NRS* §31A and *NRS* § 125.450 regarding the collection of delinquent child support
26 payments.

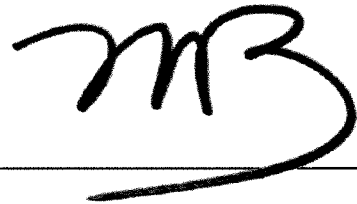
27 The Parties are further put on notice that either Party may request a review of
28 child support pursuant to *NRS* §125B.145.

1 The Parties shall submit the information required in *NRS* §125B.055, *NRS*
2 §125.130 and *NRS* §125.230 on a separate form to the Court and the Welfare
3 Division of the Department of Human Resources within ten (10) days from the date
4 the Decree in this matter is filed. Such information shall be maintained by the Clerk
5 in a confidential manner and not part of the public record.
6

7 The Parties shall update the information filed with the Court and the Welfare
8 Division of the Department of Human Resources within ten (10) days should any of
9 that information become inaccurate.
10

11 IT IS SO ORDERED.
12
13
14

Dated this 23rd day of December, 2021



15 149 AB5 8E75 E48D
16 Mary Perry
17 District Court Judge

18 **ROBERTS STOFFEL FAMILY**
19 **LAW GROUP**
20

21 By: /s/ Amanda Roberts, Esq.
22 Amanda M. Roberts, Esq.
23 State of Nevada Bar No. 9294
24 4411 South Pecos Road
25 Las Vegas, Nevada 89121
26 PH: (702) 474-7007
27 Attorneys for Plaintiff
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Emily Bellisario, Plaintiff

CASE NO: D-20-605263-D

7 vs.

DEPT. NO. Department P

8 Bradley John Bellisario,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Decree of Divorce was served via the court's electronic eFile system to
all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 12/23/2021

15 Amanda Roberts

efile@lvfamilylaw.com

16 Bradley Bellisario

bradb@bellisariolaw.com

17 Bradley Bellisario

bradb@bellisariolaw.com

18 Linda Bell

dept07lc@clarkcountycourts.us

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